

VPDES PERMIT PROGRAM FACT SHEET

This document gives pertinent information concerning the VPDES Permit listed below. This permit is being processed as a **MINOR MUNICIPAL** permit.

1. PERMIT NO.: VA0054003 EXPIRATION DATE: 11/05/16
2. FACILITY NAME AND LOCAL MAILING ADDRESS FACILITY LOCATION ADDRESS (IF DIFFERENT)
- Sunset Bay South WWTP
9428 Stephen Decatur Highway
Berlin, MD 21811
- Sunset Bay South WWTP
3855 S. Main Street
Chincoteague, VA 23336
- CONTACT AT FACILITY: CONTACT AT LOCATION ADDRESS
- NAME: Mr. Todd Burbage NAME: Env. Systems Serv. LTD (ESS)
TITLE: Vice-President TITLE: Plant Operator
PHONE: (410)213-1900 PHONE: (540)-825-6660
3. OWNER CONTACT: (TO RECEIVE PERMIT) CONSULTANT CONTACT:
- NAME: Mr. Todd Burbage NAME: Donald F. Hearl, V.P., ESS
TITLE: Vice-President FIRM NAME: Env. Systems Serv. LTD (ESS)
COMPANY NAME: Sunset Bay South ADDRESS: 218 N. Main Street
ADDRESS: 9428 Stephen Decatur Hwy Culpeper, VA 22701
Berlin, MD 21811 PHONE: (540)-825-6660
PHONE: (410)-213-1900
4. PERMIT DRAFTED BY: DEQ, Water Permits, Regional Office
- Permit Writer(s): R. E. Smithson Date(s): 09/06/16
Reviewed By: Deanna D. Austin Date(s): 09/12/16
5. PERMIT ACTION:
- () Issuance (X) Reissuance () Revoke & Reissue () Owner Modification
() Board Modification () Change of Ownership/Name [Effective Date:]
6. SUMMARY OF SPECIFIC ATTACHMENTS LABELED AS:
- Attachment 1 Site Inspection Report/Memorandum
Attachment 2 Discharge Location/Topographic Map
Attachment 3 Schematic/Plans & Specs/Site Map/Outfall Description
Attachment 4 TABLE II - Effluent Monitoring/Limitations
Attachment 5 Effluent Limitations/Monitoring Rationale/Suitable
Data/Antidegradation/Antibacksliding
Attachment 6 Closure Plan For Financial Assurance
Attachment 7 Special Conditions Rationale
Attachment 8 Receiving Waters Info./Tier Determination/303(d) Listed Segments
Attachment 9 TABLE III(a) and TABLE III(b) - Change Sheets
Attachment 10 Chronology Sheet
Attachment 11 Correspondence

APPLICATION COMPLETE: 08/24/16 (finalized
financial assurance documents received)

7. **PERMIT CHARACTERIZATION:** (Check as many as appropriate)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Existing Discharge | <input checked="" type="checkbox"/> Effluent Limited |
| <input type="checkbox"/> Proposed Discharge | <input checked="" type="checkbox"/> Water Quality Limited |
| <input checked="" type="checkbox"/> Municipal | <input type="checkbox"/> WET Limit |
| SIC Code(s) 4952 | <input type="checkbox"/> Interim Limits in Permit |
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Interim Limits in Other Document |
| SIC Code(s) | <input type="checkbox"/> Compliance Schedule in Condition |
| <input type="checkbox"/> POTW | <input type="checkbox"/> Site Specific WQ Criteria |
| <input type="checkbox"/> PVOTW | <input type="checkbox"/> Variance to WQ Standards |
| <input checked="" type="checkbox"/> Private | <input type="checkbox"/> Water Effects Ratio |
| <input type="checkbox"/> Federal | <input type="checkbox"/> Discharge to 303(d) Listed Segment |
| <input type="checkbox"/> State | <input type="checkbox"/> Toxics Management Program Required |
| <input type="checkbox"/> Publicly-Owned Industrial | <input type="checkbox"/> Toxics Reduction Evaluation |
| | <input type="checkbox"/> Storm Water Management Plan |
| | <input type="checkbox"/> Pretreatment Program Required |
| | <input type="checkbox"/> Possible Interstate Effect |

8. **RECEIVING WATERS CLASSIFICATION:** River basin information.

Outfall No(s): 001

Receiving Stream: Chincoteague Channel
 River Mile: 3.38
 Basin: Chesapeake Bay, Atlantic and Small Coastal
 Subbasin: N/A
 Section: 1b
 Class: II
 Special Standard(s): a
 Tidal: Yes
 7-Day/10-Year Low Flow: N/A
 1-Day/10-Year Low Flow: N/A
 30-Day/5-Year Low Flow: N/A
 Harmonic Mean Flow: N/A

9. **FACILITY DESCRIPTION:** Describe the type facility from which the discharges originate.

Existing municipal discharge (115 unit condos, 250 people) resulting from the discharge of treated domestic sewage, no restaurant

10. **LICENSED OPERATOR REQUIREMENTS:** () No (X) Yes Class: III (tertiary treatment)11. **RELIABILITY CLASS:** I12. **SITE INSPECTION DATE:** 10/07/2015 **REPORT DATE:** 10/08/2015

SEE ATTACHMENT 1

13. **DISCHARGE(S) LOCATION DESCRIPTION:** Provide USGS Topo which indicates the discharge location, significant (large) discharger(s) to the receiving stream, water intakes, and other items of interest.

Name of Topo: Chincoteague West Quadrant No.: 141B

SEE ATTACHMENT 2

14. ATTACH A SCHEMATIC OF THE WASTEWATER TREATMENT SYSTEM(S) [IND. & MUN.]. FOR INDUSTRIAL FACILITIES, PROVIDE A GENERAL DESCRIPTION OF THE PRODUCTION CYCLE(S) AND ACTIVITIES. FOR MUNICIPAL FACILITIES, PROVIDE A GENERAL DESCRIPTION OF THE TREATMENT PROVIDED.

Narrative: Treatment consists of an extended aeration-activated sludge package treatment plant: screen/comminutor, flow equalization, clarifier, (tertiary) sand filtration, chlorination and dechlorination.

SEE ATTACHMENT 3 (CAN ALSO REFERENCE TABLE I)

15. DISCHARGE DESCRIPTION: Describe each discharge originating from this facility.

SEE TABLE I - SEE ATTACHMENT 3

16. COMBINED TOTAL FLOW:

FINAL TOTAL: 0.0395 MGD (for public notice)

DESIGN FLOW: 0.0395 (MUN.)

17. STATUTORY OR REGULATORY BASIS FOR EFFLUENT LIMITATIONS AND SPECIAL CONDITIONS:
(Check all which are appropriate)

☒ State Water Control Law
☒ Clean Water Act
☒ VPDES Permit Regulation (9 VAC 25-31-10 et seq.)
☒ EPA NPDES Regulation (Federal Register)
EPA Effluent Guidelines (40 CFR 133 or 400 - 471)
☒ Water Quality Standards (9 VAC 25-260-5 et seq.)
Wasteload Allocation from a TMDL or River Basin Plan

18. EFFLUENT LIMITATIONS/MONITORING: Provide all limitations and monitoring requirements being placed on each outfall.

SEE TABLE II - ATTACHMENT 5

19. EFFLUENT LIMITATIONS/MONITORING RATIONALE: Attach any analyses of an outfall by individual toxic parameter. As a minimum, it will include: statistics summary (number of data values, quantification level, expected value, variance, covariance, 97th percentile, and statistical method); wasteload allocation (acute, chronic and human health); effluent limitations determination; input data listing. Include all calculations used for each outfall and set of effluent limits and those used in any model(s). Include all calculations/documentation of any antidegradation or anti-backsliding issues in the development of any limitations; complete the review statements below. Provide a rationale for limiting internal waste streams and indicator pollutants. Attach chlorine mass balance calculations, if performed. Attach any additional information used to develop the limitations, including any applicable water quality standards calculations (acute, chronic and human health).

4

OTHER CONSIDERATIONS IN LIMITATIONS DEVELOPMENT:

VARIANCES/ALTERNATE LIMITATIONS: Provide justification or refutation rationale for requested variances or alternatives to required permit conditions/limitations. This includes, but is not limited to: waivers from testing requirements; variances from technology guidelines or water quality standards; WER/translator study consideration; variances from standard permit limits/conditions.
N/A

SUITABLE DATA: In what, if any, effluent data were considered in the establishment of effluent limitations and provide all appropriate information/calculations.

Effluent limitations are based upon BPJ and consistency with other treatment facilities discharging to the same receiving stream. All suitable data were reviewed; the facility consistently meets its tertiary effluent limitations.

ANTIDEGRADATION REVIEW: Provide all appropriate information/calculations for the antidegradation review.

The receiving stream has been classified as tier 2; therefore, no significant degradation of the existing water quality will be allowed. See antidegradation calculations/determinations. A TKN limit of 3.0 mg/l eliminates the concern for ammonia (refer to attachment #6).

ANTIBACKSLIDING REVIEW: Indicate if antibacksliding applies to this permit and, if so, provide all appropriate information. Enterococci limit on Part I.A. page removed. Limit in effect for alternate disinfection only in accordance with bacteria standards (9 VAC 25-260-170.A&B).

There are no backsliding issues to address in this permit (i.e., limits as stringent or more stringent when compared to the previous permit).

SEE ATTACHMENT 6

20. **SPECIAL CONDITIONS RATIONALE:** Provide a rationale for each of the permit's special conditions.

SEE ATTACHMENT 7

21. **TOXICS MONITORING/TOXICS REDUCTION AND WET LIMIT SPECIAL CONDITIONS RATIONALE:** Provide the justification for any toxics monitoring program and/or toxics reduction program and WET limit.

N/A

22. **SLUDGE DISPOSAL PLAN:** Provide a description of the sludge disposal plan (e.g., type sludge, treatment provided and disposal method). Indicate if any of the plan elements are included within the permit.

This facility will have sludge pumped and hauled by a septage hauler to a WWTP in Pocomoke City, MD. This plan has been included in the VPDES application (reference to details in SLUDGE Form). A standard special condition pertaining to this plan will be included in Part I of the permit.

23. **MATERIAL STORED:** List the type and quantity of wastes, fluids, or pollutants being stored at this facility. Briefly describe the storage facilities and list, if any, measures taken to prevent the stored material from reaching State waters.

NONE.

24. **RECEIVING WATERS INFORMATION:** Refer to the State Water Control Board's Water Quality Standards [e.g., River Basin Section Tables (9 VAC 25-260-5 et seq.)]. Use 9 VAC 25-260-140 C (introduction and numbered paragraph) to address tidal waters where fresh water standards would be applied or transitional waters where the most stringent of fresh or salt water standards would be applied. Attach any memoranda or other information which helped to develop permit conditions (i.e. tier determinations, PReP complaints, special water quality studies, STORET data and other biological and/or chemical data, etc.

SEE ATTACHMENT 8: Tier determination, TMDL Information

25. **303(d) Listed Segments:** Indicate if the facility discharges to a segment that is listed on the current 303(d) list and, if so, provide all appropriate information/calculations.

This facility discharges directly to the Chincoteague Channel. TMDLs are not included in this permit as the receiving waters are not listed on the 303(d) list. This receiving stream segment had been listed on the 303(d) list for protection of shellfish, but has since be de-listed. A Maryland Coastal Bay TMDL for Nitrogen and Phosphorus was EPA approved August 7, 2014. Loadings of Nitrogen and Phosphorus are applicable in the Maryland coastal bays systems. This is not a joint TMDL and therefore no restrictions are placed on the VA Chincoteague Bay portions. **SEE ATTACHMENT 8**

26. **CHANGES TO PERMIT:** Use **TABLE III(a)** to record any changes from the previous permit and the rationale for those changes. Use **TABLE III(b)** to record any changes made to the permit during the permit processing period and the rationale for those changes [i.e., use for comments from the applicant, VDH, EPA, other agencies and/or the public where comments resulted in changes to the permit limitations or any other changes associated with the special conditions or reporting requirements].

SEE ATTACHMENT 9

27. **NPDES INDUSTRIAL PERMIT RATING WORKSHEET:**

N/A - This is a municipal facility.

28. **DEQ PLANNING COMMENTS RECEIVED ON DRAFT PERMIT:** Document any comments received from DEQ planning.

The discharge is not addressed in any planning document but will be included when the plan is updated.

29. **PUBLIC PARTICIPATION:** Document comments/responses received during the public participation process. If comments/responses provided, especially if they result in changes to the permit, place in the attachment.

VDH/DSS COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from the Virginia Dept. of Health and noted how resolved.

The VDH waived their right to comment and/or object to the adequacy of the draft permit. *The VDH comment on the application (received 05/02/16) was "no public raw intakes in VA. were found upstream or downstream from the discharge point" (see FS page 70). DSS's comment on the application (dated 04/29/16) was "the activity will not cause an increase in the size or type of the existing shellfish closure" (see FS page 71).*

6

EPA COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from the U.S. Environmental Protection Agency and noted how resolved.

EPA waived the right to comment and/or object to the adequacy of the draft permit.

ADJACENT STATE COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from an adjacent state and noted how resolved.

Not Applicable.

OTHER AGENCY COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from any other agencies (e.g., VIMS, VMRC, DGIF, etc.) and noted how resolved.

Not Applicable

OTHER COMMENTS RECEIVED FROM RIPARIAN OWNERS/CITIZENS ON DRAFT PERMIT: Document any comments received from other sources and note how resolved.

The application and draft permit have received public notice in accordance with the VPDES Permit Regulation, and no comments were received.

PUBLIC NOTICE INFORMATION: Comment Period: Start Date
End Date

Persons may comment in writing or by e-mail to the DEQ on the proposed reissuance of the permit within 30 days from the date of the first notice. Address all comments to the contact person listed below. Written or e-mail comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered. The Director of the DEQ may decide to hold a public hearing if public response is significant. Requests for public hearings shall state the reason why a hearing is requested, the nature of the issues proposed to be raised in the public hearing and a brief explanation of how the requestor's interests would be directly and adversely affected by the proposed permit action.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting R. E. Smithson at: Department of Environmental Quality (DEQ), Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462. Telephone: 757-518-2106 E-mail: robert.smithsonjr@deq.virginia.gov

Following the comment period, the Board will make a determination regarding the proposed reissuance. This determination will become effective, unless the Director grants a public hearing. Due notice of any public hearing will be given.

30. **ADDITIONAL FACT SHEET COMMENTS/PERTINENT INFORMATION:**

The facility has an extended aeration-activated sludge package treatment plant followed by sand filtration to meet tertiary limitations.

VMRC responded on April 22, 2016 that they "had no comment on the application unless DSS indicated that the condemnation area would change". See FS page 72

DCR's comments were solicited, as this facility was on the 2016 T&E species coordination list. On July 21, 2016 e-mail correspondence from DCR indicated that the current activity would not affect any documented state-listed plants or insects (see FS pages 61-69 for details).

Revised financial assurance documents were received August 24, 2016 per OFRWP's (Office of Financial Responsibility & Waste Programs) request on July 14, 2016 (see Attachment 6 for details).

ATTACHMENT 1

SITE INSPECTION REPORT/MEMORANDUM

Virginia Department of Environmental Quality

WASTEWATER FACILITY INSPECTION REPORT

FACILITY NAME: <u>Sunset Bay - South</u>		INSPECTION DATE: <u>10/7/2015</u>	
PERMIT No.: <u>VA0054003</u>		INSPECTOR <u>Stephen J. Thomas</u>	
TYPE OF FACILITY: <input checked="" type="checkbox"/> Municipal <input checked="" type="checkbox"/> Small Minor <input type="checkbox"/> Industrial <input type="checkbox"/> Federal		REPORT DATE: <u>10/8/2015</u>	
		TIME OF INSPECTION:	Arrival 0915
		TOTAL TIME SPENT (including prep & travel)	Departure 1115
PHOTOGRAPHS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		8 hours	
		UNANNOUNCED INSPECTION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
REVIEWED BY / Date: <u>Kenneth T. Raum / 10-26-15</u> <i>KTR</i>			
PRESENT DURING INSPECTION: <u>Mr. Richard Padgett and Mr. Matt Yetter</u>			

TECHNICAL INSPECTION

1. Has there been any new construction? • If so, were plans and specifications approved? <u>Comments:</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Is the Operations and Maintenance Manual approved and up-to-date? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Are the Permit and/or Operation and Maintenance Manual specified licensed operator being met? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Are the Permit and/or Operation and Maintenance Manual specified operator staffing requirements being met? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Is there an established and adequate program for training personnel? <u>Comments:</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Are preventive maintenance task schedules being met? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. Does the plant experience any organic or hydraulic overloading? <u>Comments:</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Has there been any bypassing or overflows since the last inspection? <u>Comments:</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9. Is the standby generator (including power transfer switch) operational and exercised regularly? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10. Is the plant alarm system operational and tested regularly? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

TECHNICAL INSPECTION

11. Is sludge disposed of in accordance with the approved sludge management plan? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
12. Is septage received? • If so, is septage loading controlled, and are appropriate records maintained? <u>Comments:</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
13. Are all plant records (operational logs, equipment maintenance, industrial waste contributors, sampling and testing) available for review and are records adequate? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
14. Which of the following records does the plant maintain? <input checked="" type="checkbox"/> Operational logs <input type="checkbox"/> Instrument maintenance & calibration <input type="checkbox"/> Mechanical equipment maintenance <input type="checkbox"/> Industrial Waste Contribution (Municipal facilities) <u>Comments:</u>	
15. What does the operational log contain? <input checked="" type="checkbox"/> Visual observations <input checked="" type="checkbox"/> Flow Measurement <input checked="" type="checkbox"/> Laboratory results <input checked="" type="checkbox"/> Process adjustments <input type="checkbox"/> Control calculations <input type="checkbox"/> Other (specify) <u>Comments:</u>	
16. What do the mechanical equipment records contain? <input checked="" type="checkbox"/> As built plans and specs <input checked="" type="checkbox"/> Manufacturers instructions <input checked="" type="checkbox"/> Lubrication schedules <input type="checkbox"/> Spare parts inventory <input type="checkbox"/> Equipment/parts suppliers <input type="checkbox"/> Other (specify) <u>Comments:</u>	
17. What do the industrial waste contribution records contain (Municipal only)? <input type="checkbox"/> Waste characteristics <input type="checkbox"/> Impact on plant <input type="checkbox"/> Locations and discharge types <input type="checkbox"/> Other (specify) N/A <u>Comments:</u>	
18. Which of the following records are kept at the plant and available to personnel? <input checked="" type="checkbox"/> Equipment maintenance records <input checked="" type="checkbox"/> Operational log <input type="checkbox"/> Industrial contributor records <input type="checkbox"/> Instrumentation records <input checked="" type="checkbox"/> Sampling and testing records <u>Comments:</u>	
19. List records not normally available to plant personnel and their location: <u>Comments:</u> N/A	
20. Are the records maintained for the required time period (three or five years)? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

EFFLUENT FIELD DATA:

Flow	<u>0 GPM</u> MGD	Dissolved Oxygen	<u>8.4</u> mg/L	TRC (Contact Tank)	<u> </u> mg/L
pH	<u>7.97</u> S.U.	Temperature	<u>17.2</u> °C	TRC (Final Effluent)	<u>0.0</u> mg/L

Was a Sampling Inspection conducted? ☐ Yes (see Sampling Inspection Report) ☒ No *Please note the final effluent values reported above were from an 0900 operator sampling. Sludge wasting occurred just before my arrival. There was no effluent flow during the inspection.

CONDITION OF OUTFALL AND EFFLUENT CHARACTERISTICS:

- Type of outfall: ☒ Shore based ☐ Submerged Diffuser? ☐ Yes ☒ No
- Are the outfall and supporting structures in good condition? ☒ Yes ☐ No
- Final Effluent (evidence of following problems): ☐ Sludge bar ☐ Grease
☐ Turbid effluent ☐ Visible foam ☐ Unusual color ☐ Oil sheen
- Is there a visible effluent plume in the receiving stream? ☐ Yes ☒ No
- Receiving stream: ☐ No observed problems ☐ Indication of problems (explain below)
Comments: Discharge pipe was visible, but outlet was under water. Small blue particles from the dechlorination tablets were visible in the final effluent trough. This location is the final effluent sampling location also.

INSPECTION OVERVIEW AND CONDITION OF TREATMENT UNITS

This inspection found the treatment plant in overall satisfactory condition. This operation consists of two package plants with a total treatment capacity of 39,500 gallons. One plant is designed for 28,000 GPD and the other for 11,500 GPD. The 28,000 GPD plant is in operation as the primary plant. The smaller plant is currently being used for sludge holding and sometimes as an equalization basin. The facility was intended to serve the Sunset Bay condominiums. The second phase of the condominiums was never built. The facility now takes in sewage from Don's Seafood Restaurant, with a maximum flow of 1,000 GPD, and the Island movie theater. In May of this year the newly constructed Fairfield Inn began discharging to this facility. The treated flow is well below permitted capacity at this time.

REQUIRED CORRECTIVE ACTIONS:

No actions are required at this time.

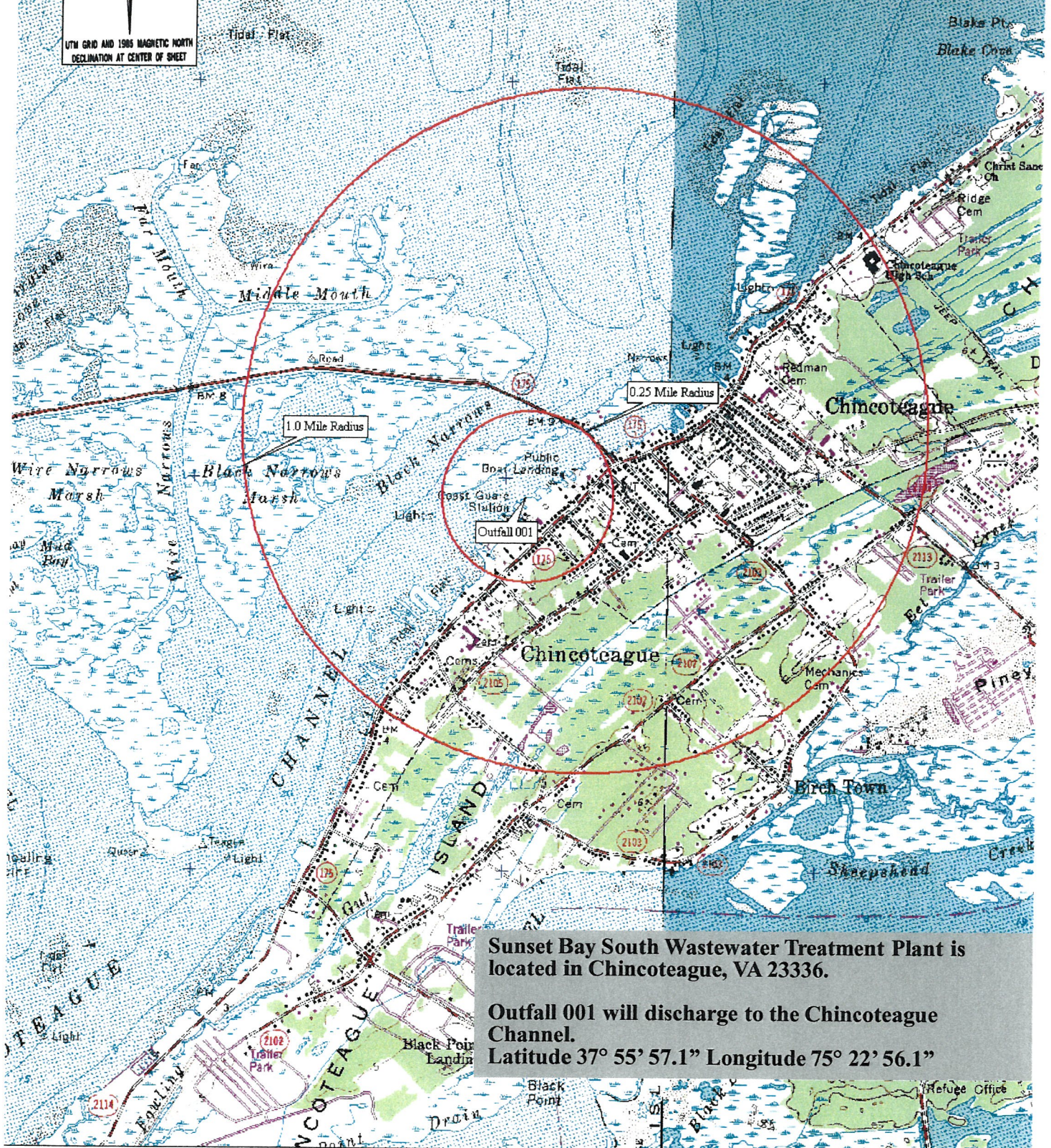
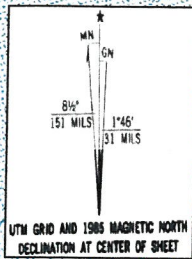
NOTES and COMMENTS:

I would like to thank the operators with ESS for their cooperation during the inspection.

ATTACHMENT 2

DISCHARGE LOCATION/TOPOGRAPHIC MAP

7.5 Minute USGS Topographic Map
Chincoteague West Quadrangle



Sunset Bay South Wastewater Treatment Plant is located in Chincoteague, VA 23336.

Outfall 001 will discharge to the Chincoteague Channel.
Latitude 37° 55' 57.1" Longitude 75° 22' 56.1"

ATTACHMENT 3

SCHEMATIC/PLANS & SPECS/SITE MAP/
TABLE I-Discharge/Outfall Description

Sunset Bay South – VPDES VA54002 Flow Diagram

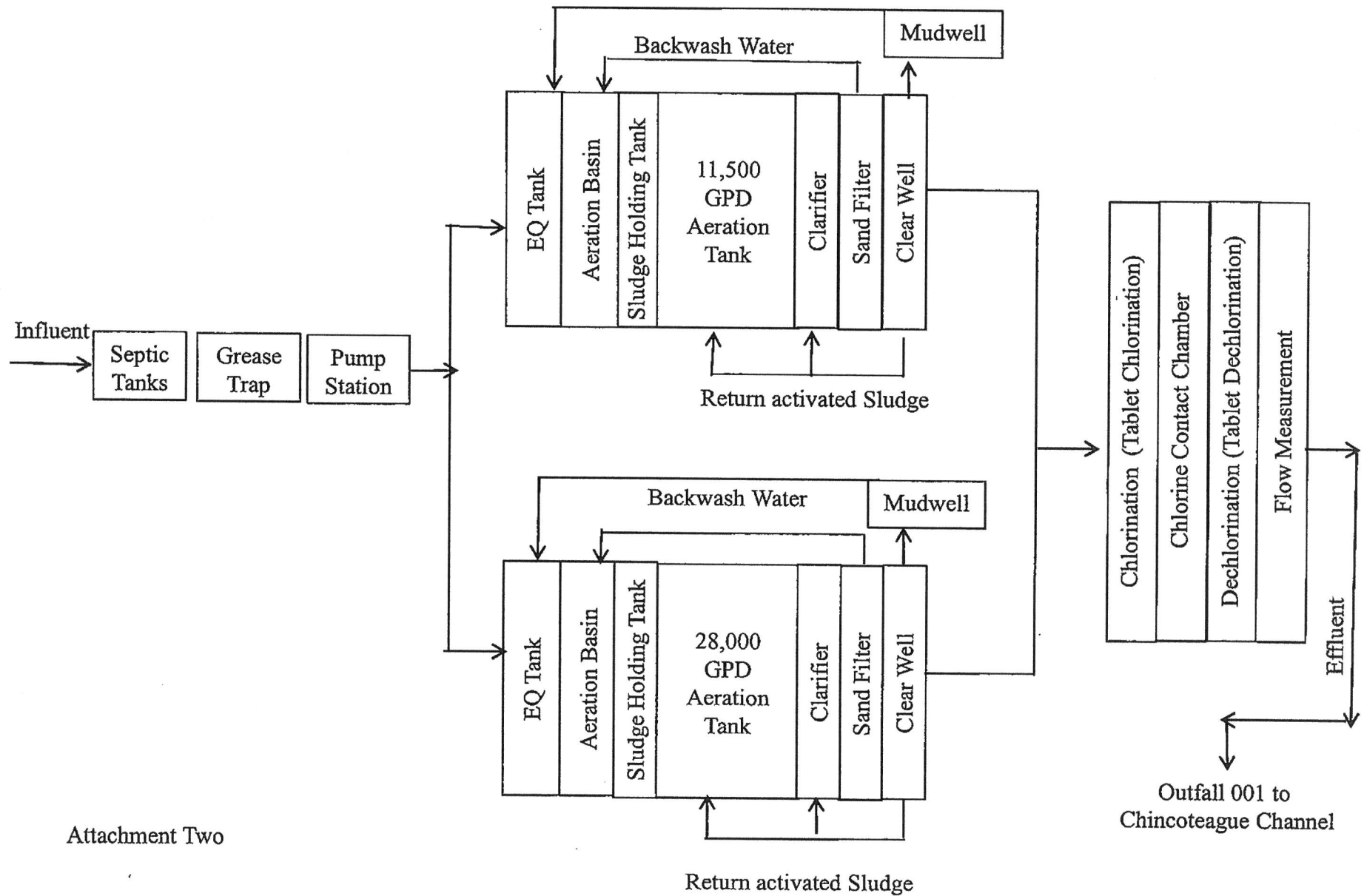


TABLE I
NUMBER AND DESCRIPTION OF OUTFALLS

OUTFALL NO.	DISCHARGE LOCATION	DISCHARGE SOURCE (1)	TREATMENT (2)	FLOW (3)
001	37°55'57.1"N 75°22'56.1"W	Domestic wastewater from a residential condo subdivision	Treatment consists of an extended aeration-activated sludge package treatment plant with a screen/comminutor, flow equalization, clarification, followed by tertiary filtration for nutrient removal, chlorination, dechlorination.	0.0395 MGD

- (1) List operations contributing to flow
 (2) Give brief description, unit by unit
 (3) Give maximum 30-day average flow for industry and design flow for municipal

ATTACHMENT 4

TABLE II - EFFLUENT MONITORING/LIMITATIONS

TABLE II - MUNICIPAL EFFLUENT LIMITATIONS/MONITORING
ATTACHMENT #

OUTFALL # 001 DESIGN FLOW: 0.0395 MGD

Outfall Description: Domestic wastewater from a residential condo community

SIC CODE: 4952

(X) Final Limits () Interim Limits Effective Dates - From: Reissuance Date To: Expiration Date

PARAMETER & UNITS	BASIS FOR LIMITS	DESIGN FLOW MULTIPLIER	EFFLUENT LIMITATIONS				MONITORING REQUIREMENTS	
			MONTHLY AVERAGE	WEEKLY AVERAGE	MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
Flow (MGD) [a]	3	.0395	NL	NA	NA	NL	1/Day	Estimate
pH (S.U.)	3		NA	NA	6.0	9.0	1/Day	Grab
CBOD5 (mg/l) [c]	3		10	15	NA	NA	1/Month	Grab
CBOD5 (kg/d)	3	.0395	1.5	2.2	NA	NA	1/Month	Grab
TSS (mg/l) [c]	3		10	15	NA	NA	1/Month	Grab
TSS (kg/d)	3	.0395	1.5	2.2	NA	NA	1/Month	Grab
TRC (mg/l) [b] [c]	2	.0395	0.005	0.007	NA	NA	1/Day	Grab
Fecal Coliform (N/CML)	2		200	NA	NA	NA	1/Month (Between 10 am & 4 pm)	Grab
Enterococci (N/CML) [b]	2		35	NA	NA	NA	1/Week (Between 10 am & 4 pm)	Grab
D.O. (mg/l)	3		NA	NA	5.0	NA	1/Day	Grab
Total Kjeldahl Nitrogen (TKN) (mg/l) [c]	3		3.0	4.5	NA	NA	1/Month	Grab
Total Kjeldahl Nitrogen (TKN) (kg/d)	3	.0395	0.45	0.67	NA	NA	1/Month	Grab

TABLE II - MUNICIPAL EFFLUENT LIMITATIONS/MONITORING
ATTACHMENT 4

- [a] See Part I.C.6. for exceeding 95% of the design capacity 3 months consecutively.
- [b] See Part I.B. and I.C. for other total chlorine limitations and bacterial effluent limitations.
- [c] See Parts I.C.7. and I.C.8. for quantification levels and reporting requirements, respectively.

- 2. At least 85% removal for BOD and TSS must be attained for this effluent.
- 3. The design flow of this treatment facility is 0.0395 MGD.
- 4. There shall be no discharge of floating solids or visible foam in other than trace amounts.

NA = NOT APPLICABLE; NL = NO LIMIT, MONITORING REQUIREMENT ONLY

Upon reissuance of the permit, Discharge Monitoring Reports (DMRs) shall be submitted to the regional office at the frequency required by the permit regardless of whether an actual discharge occurs. In the event that there is no discharge for the monitoring period, then "no discharge" shall be reported on the DMR.

The bases for the limitations codes are:

- 1. Technology (e.g., Federal Effluent Guidelines)
- 2. Water Quality Standards (9 VAC 25-260 et. seq.)
- 3. Professional Judgment

TABLE II - MUNICIPAL MINOR EFFLUENT LIMITATIONS

Attachment 4 continued

Final Chlorine Limitations Effective Dates -

From: permit reissuance

To: permit expiration

TRC **	AFTER CL2 CONTACT TANK (Dechlor. Required)			AFTER DECHLORINATION		AFTER CL2 CONTACT TANK (Dechlor. Not Required)				
	MIN.	EXC.	INST. MIN.	WKLY AVG.	INST. MAX.	PERMIT RANGE	EXC	REPORT- ING RANGE	EX C.	TECH. MAX.
a) Non-Detect. Dechlor. Required	1.5	3	0.6 mg/l	.007 mg/l	---	NA	NA	NA	NA	NA
b) Detect. Dechlor. Required	---	---	---	---	---	NA	NA	NA	NA	NA
c) No Dechlor.	NA	NA	NA	NA	NA	---	---	---	---	---

*Totalizing, Indicating & Recording Equipment

** --Chlorine mass balance C_w (W for Tidal systems): check one

☒ a) $C_w < 0.1$ mg/l [dechlor. required, non-detectable format]

☐ b) $0.1 \text{ mg/l} \leq C_w < 2.0$ mg/l (2.5 mg/l for PWS, Shellfish waters) [dechlor. required, detectable format]

☐ c) $C_w > 2.0$ mg/l (2.5 mg/l for PWS, Shellfish waters) [dechlor. not required, include a restrictive technology max. value]

The design flow of this treatment facility is 0.0395 MGD.

NA = NOT APPLICABLE; NL = NO LIMIT, MONITORING REQUIREMENT ONLY

See Part I.B. for additional TRC limitations.

ATTACHMENT 5

EFFLUENT LIMITATIONS/MONITORING
RATIONALE/SUITABLE DATA/
ANTIDEGRADATION/ANTIBACKSLIDING

ATTACHMENT 5
VPDES PERMIT PROGRAM

Rationale for Effluent Limitations and Monitoring

Monitoring frequency for CBOD5, TSS, TKN and fecal coliform will be 1/month and all other parameters will be monitored 1/D, based upon a design flow of 0.0395 MGD and best professional judgment. The system is designed as advanced treatment, capable of meeting limitations of 10 mg/l CBOD5, 10 mg/l TSS and 3 mg/l TKN. TRC and fecal coliform limitations are water quality based standards. Since the receiving waters have been assigned a Tier II classification, a dissolved oxygen daily average minimum of 5.0 mg/l has been established to protect the tier classification. A CTO was issued for this final design flow of 0.0395 MGD in the spring of 2010.

The following limitations were based upon best professional judgment, with the exception of TRC, which was based upon water quality standards.

OUTFALL 001 - Chincoteague Channel: final loadings limitations

Flow: No limit; monitoring 1/day, estimate - standard requirement for a municipal permit with this design flow.

pH: Minimum of 6.0 s.u., maximum of 9.0 s.u. - BPJ to protect water quality in the receiving stream.

CBOD5 & TSS: These parameters are representative of "self sustaining effluent" limits and are consistent with discharges from near-by facilities. Monthly average limit of 10 mg/l (1.5 kg/d) and a weekly average limit of 15 mg/l (2.2 kg/d) were based upon best professional judgment and the system design to meet tertiary treatment objectives; grab sample

TKN: Monthly average limit of 3.0 mg/l (0.45 kg/d) and a maximum limit of 4.5 mg/l (0.67 kg/d) were based upon best professional judgment and the system design to meet tertiary treatment objectives; grab sample.

D.O.: Limitation of 5.0 mg/l minimum is based upon BPJ and Water Quality Standards for Class II waters; grab sample.

TRC: Limits of 0.005 mg/l monthly average and 0.007 mg/l weekly average are included in this permit based upon modeling results (reference attachment 5, pages 21-26 ; indicates a non-detectable Cl₂ limit for "self-sustaining effluent"). This is in accordance with the VPDES Permit Manual.

Fecal Coliform: Limit of 200 N/CML monthly avg. 1/M based upon discharge to shellfish waters; The Chincoteague Channel is listed in the Standards as "Special Standards a" - Shellfish waters. This designation required the inclusion of a fecal coliform limit in the permit. The Division of Shellfish Sanitation has no objection to the permit; grab sample.

Enterococci: Limit of 35 N/CML monthly avg. 1/W based upon BPJ to protect water quality; current standard requirement for disinfection from domestic wastewater treatment; grab sample

No ammonia limitation is needed since a TKN limit of 3.0 mg/l protects the receiving stream from ammonia-N toxicity (see rationale page 28).

TMDLs are not included in this permit, as the receiving waters are not listed on the 303(d) list.

ANTIDEGRADATION REVIEW

The receiving stream has been classified as tier 2; therefore, no significant degradation of the existing water quality will be allowed. See antidegradation calculations/determinations. Limitations will provide for the protection and maintenance of all existing uses.

There are *no antidegradation issues* to address in this permit reissuance.

Facility = Russell Fish Seafood Company, Inc. \leftarrow CALCULATED DURING LAST REISSUANCE.

Chemical = Chlorine (ug/l)

Chronic averaging period = 4

WLAa = 13

WLAc = 7.5

Q.L. = 100

samples/mo. = 30

samples/wk. = 7

Summary of Statistics:

observations = 1

Expected Value = 20000

Variance = 1440000

C.V. = 0.6

97th percentile daily values = 48668.3

97th percentile 4 day average = 33275.8

97th percentile 30 day average = 24121.0

< Q.L. = 0

Model used = BPJ Assumptions, type 2 data

A limit is needed based on Chronic Toxicity

Maximum Daily Limit = 10.9693108803992

Average Weekly limit = 6.69903720776325

Average Monthly Limit = 5.43662262536986

ug/l 0.007
ug/l 0.005

The data are:

20000

ANTIDegradation CALCULATIONS/BASELINES (Saltwater)

Facility: Sunset Bay Condominiums

All values in ug/l unless otherwise noted

Sunset Bay Development VA0054003

Parameter	Saltwater Criteria (SW)		Other Surface Waters Criteria	Instream Background Data (Expected value*)	Antidegradation Baseline			Water Quality Waste Load Allocation (WQ-WLA)			Antidegradation Waste Load Allocation (AD-WLA)		
	Acute	Chronic			Acute	Chronic	Human Health	Acute	Chronic	Human Health	Acute	Chronic	Human Health
METALS													
Antimony			4300				430			215000			21500
Arsenic													
Arsenic III	69	36			17.25	9		138	1800		862.5	450	
Barium													
Cadmium	43	9.3			10.75	2.325		86	465		537.5	116.25	
Chromium III													
Chromium VI	1100	50			275	12.5		2200	2500		13750	625	
Copper	5.9	3.8			1.475	0.95		11.8	190		73.75	47.5	
Iron													
Lead	240	9.3			60	2.325		480	465		3000	116.25	
Manganese													
Mercury	2.1	0.025	0.053		0.525	0.00625	0.0053	4.2	1.25	2.65	26.25	0.3125	0.265
Nickel	75	8.3	4600		18.75	2.075	460	150	415	230000	937.5	103.75	23000
Selenium	300	71	11000		75	17.75	1100	600	3550	550000	3750	887.5	55000
Silver	2.3				0.575			4.6			28.75		
Zinc	95	86			23.75	21.5		190	4300		1187.5	1075	
PESTICIDES/PCBs													
Aldrin	1.3	0.13	0.0014		0.325	0.0325	0.00014	2.6	6.5	0.07	16.25	1.625	0.007
Chlordane	0.09	0.004	0.0059		0.0225	0.001	0.00059	0.18	0.2	0.295	1.125	0.05	0.0295
Chlorpyrifos (Dursban)	0.011	0.0056			0.00275	0.0014		0.022	0.28		0.1375	0.07	
DDD			0.0084				0.00084			0.42			0.042
DDE			0.0059				0.00059			0.295			0.0295
DDT	0.13	0.001	0.0059		0.0325	0.00025	0.00059	0.26	0.05	0.295	1.625	0.0125	0.0295

23

ANTIDegradation CALCULATIONS/BASELINES (Saltwater)

Facility: Sunset Bay Condominiums

All values in ug/l unless otherwise noted

Parameter	Saltwater Criteria (SW)		Other Surface Waters Criteria	Instream Background Data (Expected value*)	Antidegradation Baseline			Water Quality Waste Load Allocation (WQ-WLA)			Antidegradation Waste Load Allocation (AD-WLA)		
	Acute	Chronic			Acute	Chronic	Human Health	Acute	Chronic	Human Health	Acute	Chronic	Human Health
Demeton		0.1				0.025			5			1.25	
2, 4-dichloro-phenoxy acetic acid (2, 4-D)													
Dieldrin	0.71	0.0019	0.0014		0.1775	0.000475	0.00014	1.42	0.095	0.07	8.875	0.02375	0.007
Endosulfan	0.034	0.0087	240		0.0085	0.002175	24	0.068	0.435	12000	0.425	0.10875	1200
Endrin	0.037	0.0023	0.81		0.00925	0.000575	0.081	0.074	0.115	40.5	0.4625	0.02875	4.05
Guthion		0.01				0.0025			0.5			0.125	
Heptachlor	0.053	0.0036	0.0021		0.01325	0.0009	0.00021	0.106	0.18	0.105	0.6625	0.045	0.0105
Hexachloro-cyclohexane (Lindane)	0.16	0.01	25		0.04	0.0025	2.5	0.32	0.5	1250	2	0.125	125
Kepone		0											
Malathion		0.1				0.025			5			1.25	
Mirex		0											
Parathion													
PCB-1242		0.03	0.00045			0.0075	0.000045		1.5	0.0225		0.375	0.00225
PCB-1254		0.03	0.00045			0.0075	0.000045		1.5	0.0225		0.375	0.00225
PCB-1221		0.03	0.00045			0.0075	0.000045		1.5	0.0225		0.375	0.00225
PCB-1232		0.03	0.00045			0.0075	0.000045		1.5	0.0225		0.375	0.00225
PCB-1248		0.03	0.00045			0.0075	0.000045		1.5	0.0225		0.375	0.00225
PCB-1016		0.03	0.00045			0.0075	0.000045		1.5	0.0225		0.375	0.00225
Toxaphene	0.21	0.0002	0.0075		0.0525	0.00005	0.00075	0.42	0.01	0.375	2.625	0.0025	0.0375
2-(2, 4, 5-trichloro-phenoxy) propionic acid (Silvex)													

All values in ug/l unless otherwise noted

ANTIDegradation CALCULATIONS/BASELINES (Saltwater)

Facility: Sunset Bay Condominiums

Parameter	Saltwater Criteria (SW)		Other Surface Waters Criteria	Instream Background Data (Expected value*)	Antidegradation Baseline			Water Quality Waste Load Allocation (WQ-WLA)			Antidegradation Waste Load Allocation (AD-WLA)		
	Acute	Chronic			Acute	Chronic	Human Health	Acute	Chronic	Human Health	Acute	Chronic	Human Health
BASE NEUTRAL EXTRACTABLES													
Acenaphthene			2700				270			135000			13500
Anthracene			110000				11000			5500000			550000
Benzo (a) anthracene			0.49				0.049			24.5			2.45
Benzo (b) fluoranthene			0.49				0.049			24.5			2.45
Benzo (k) fluoranthene			0.49				0.049			24.5			2.45
Benzo (a) pyrene			0.49				0.049			24.5			2.45
Butyl benzyl phthalate			5200				520			260000			26000
Chrysene			0.49				0.049			24.5			2.45
Dibenz (a, h) anthracene			0.49				0.049			24.5			2.45
Dibutyl phthalate			12000				1200			600000			60000
1, 2-Dichloro benzene			17000				1700			850000			85000
1, 3-Dichloro benzene			2600				260			130000			13000
1, 4-Dichloro benzene			2600				260			130000			13000
Diethyl phthalate			120000				12000			6000000			600000
Di-2-Ethylhexyl phthalate			59				5.9			2950			295

25

ANTIDegradation CALCULATIONS/BASELINES (Saltwater)

Facility: Sunset Bay Condominiums

All values in ug/l unless otherwise noted

Parameter	Saltwater Criteria (SW)		Other Surface Waters Criteria	Instream Background Data (Expected value*)	Antidegradation Baseline			Water Quality Waste Load Allocation (WQ-WLA)			Antidegradation Waste Load Allocation (AD-WLA)		
	Acute	Chronic			Acute	Chronic	Human Health	Acute	Chronic	Human Health	Acute	Chronic	Human Health
2, 4-Dinitro toluene			91				9.1			4550			455
Fluoranthene			370				37			18500			1850
Fluorene			14000				1400			700000			70000
Indeno (1, 2, 3-cd) pyrene			0.49				0.049			24.5			2.45
Isophorone			490000				49000			24500000			2450000
Nitrobenzene			1900				190			95000			9500
Pyrene			11000				1100			550000			55000
1, 2, 4 Trichloro-benzene			950				95			47500			4750
VOLATILES													
Benzene			710				71			35500			3550
Bromoform			3600				360			180000			18000
Carbon Tetrachloride			45				4.5			2250			225
Chlorodibromo-methane			57000				5700			2850000			285000
Chloroform			4700				470			235000			23500
Dichloromethane			16000				1600			800000			80000
Dichlorobromo-methane			460				46			23000			2300
1, 2-Dichloro-ethane			990				99			49500			4950
1, 1-Dichloro ethylene			17000				1700			850000			85000

All values in ug/l unless otherwise noted

ANTIDEGRADATION CALCULATIONS/BASELINES (Saltwater)

Facility: Sunset Bay Condominiums

Parameter	Saltwater Criteria (SW)		Other Surface Waters Criteria	Instream Background Data (Expected value*)	Antidegradation Baseline			Water Quality Waste Load Allocation (WQ-WLA)			Antidegradation Waste Load Allocation (AD-WLA)		
	Acute	Chronic			Acute	Chronic	Human	Acute	Chronic	Human Health	Acute	Chronic	Human Health
Ethylbenzene			29000				2900			1450000			145000
Monochloro-benzene			21000				2100			1050000			105000
Tetrachloro-ethylene			3500				350			175000			17500
Toluene			200000				20000			10000000			1000000
Trichloroethylene			810				81			40500			4050
Vinyl Chloride			5300				530			265000			26500
ACIDS EXTRACTABLES													
2-Chlorophenol			400				40			20000			2000
2, 4 Dichloro-phenol			790				79			39500			3950
2, 4 Dimethyl-phenol			2300				230			115000			11500
Pentachloro-phenol	13	7.9	82		3.25	1.975	8.2	26	395	4100	162.5	98.75	410
Phenol			4600000				460000			230000000			23000000
2, 4, 6-Trichloro-phenol			65				6.5			3250			325
MISCELLANEOUS													
Ammonia (as NH3-N)	**	**			#VALUE!	#VALUE!		#VALUE!	0		0	0	
Chlorides													
* Chlorine (CPO)	13	7.5			3.25	1.875		26	375		162.5	93.75	
Cyanide	1	1	215000		0.25	0.25	21500	2	50	10750000	12.5	12.5	1075000
Dioxin (PPQ)			1.2				0.12			60			6

All values in ug/l unless otherwise noted

Parameter	Saltwater Criteria	Other Surface	Instream Background	Antidegradation Baseline	Water Quality Waste Load Allocation	Antidegradation Waste Load Allocation
-----------	--------------------	---------------	---------------------	--------------------------	-------------------------------------	---------------------------------------

ANTIDegradation Calculations/Baselines (Saltwater)

Facility: Sunset Bay Condominiums

	(SW)		Waters Criteria	Data (Expected value*)				(WQ-WLA)			(AD-WLA)		
	Acute	Chronic			Acute	Chronic	Human Health	Acute	Chronic	Human Health	Acute	Chronic	Human Health
Fecal Coliform (N/Cml)													
Foaming Agents (as MBAS)													
Hydrogen Sulfide		2				0.5			100			25	
Nitrate													
Sulfate													
Total Dissolved Solids													
Tributyltin	0.36	0.001			0.09	0.00025		0.72	0.05		4.5	0.0125	

88.

29

TELEPHONE DOCUMENTATION

SUBJECT : AMMONIA LIMIT CALCULATIONS UNNECESSARY WITH TKN
SWAMP/MARSH LIMIT

WRITTEN BY: R. E. Smithson DATE: August 18, 1993

TO : Permit Factsheet

DISCUSSION: R. M. Smith and I spoke with Fred Holt on this date concerning the need for ammonia limit calculations when swamp/marsh TKN limits apply. He informed us that a TKN limit of 3 mg/l is stringent enough to protect any receiving stream from ammonia toxicity, hence an NH3 limit would be unnecessary. This applies, as well, when antidegradation is being considered because of tier 2 waters. Ammonia limit calculations using baseline data is not necessary.

CONSIDERATION: Should a draft permit include tiered TKN limits in the summer and ammonia limits in the winter to assist the permittee in meeting denitrification requirements, antidegradation may be a consideration when calculating NH3. If the receiving waters are tier 2, then NH3 baseline data must be utilized.

cc: R. M. Smith,

cc: R. P. Goode

ATTACHMENT 6

CLOSURE PLAN FOR FINANCIAL ASSURANCE
COST ESTIMATES INCLUDED

Smithson Jr., Robert (DEQ)

From: Taylor, Suzanne (DEQ)
Sent: Wednesday, August 24, 2016 3:32 PM
To: Smithson Jr., Robert (DEQ)
Subject: RE: Sunset Bay Financial Assurance plan

Thanks, Robert.

From: Smithson Jr., Robert (DEQ)
Sent: Wednesday, August 24, 2016 3:29 PM
To: Taylor, Suzanne (DEQ)
Cc: Beckwith, Leslie (DEQ); Don Hearl
Subject: RE: Sunset Bay Financial Assurance plan

The closure plan is acceptable to our office & completes the application. The cost estimate seems reasonable but you may have more of a handle on that than I. Don Hearl should be able to proceed.

From: Taylor, Suzanne (DEQ)
Sent: Wednesday, August 24, 2016 3:18 PM
To: Smithson Jr., Robert (DEQ)
Cc: Beckwith, Leslie (DEQ)
Subject: FW: Sunset Bay Financial Assurance plan

Hi Robert, please send me an email to let me know you have approved the updated closure plan for this site so I can respond to Don below regarding the due date for the updated financial assurance mechanism (I was going to suggest they send us the updated FA submitted by October 5 which is 30 days before the permit expires). Per the guidance for our office, the closure plan and cost estimate must be approved by the permit writer.

Thanks,
Suzanne

From: Don Hearl [<mailto:DonH@ess-services.com>]
Sent: Tuesday, August 23, 2016 11:59 AM
To: Taylor, Suzanne (DEQ)
Subject: Sunset Bay Financial Assurance plan

Hey Suzanne,

I hope you are doing well this fine day. I am just following up to determine when the funding mechanism must be in place for the revised financial assurance plan for Sunset Bay. I want to make sure our client has time to get the financial instrument in place. Any insight you can provide will be most appreciated.

Have a wonderful day,

Don

Donald F. Hearl, Vice President
Environmental Systems Service, Ltd.
218 North Main St.
P.O. Box 520



CLOSURE PLAN THIRD PARTY IMPLEMENTATION AGREEMENT

for
Sunset Bay Utilities, Inc.
located at

CHINCOTEAGUE, VIRGINIA

August 17, 2016

VPDES Permit # VA0054003

Permit Holder: Todd E. Burbage, Vice President
Sunset Bay Utilities, Inc.
9428 Stephen Decatur Highway
Berlin, MD 21811
(410) 213-1900



Facility Physical Address: Sunset Bay
6321 Captains Lane
Chincoteague, Virginia 23336

Third Party Implementer: Environmental Systems Service
Donald F. Hearl, Vice President
218 N. Main Street
Culpeper, VA, 22701
(540) 825-6660

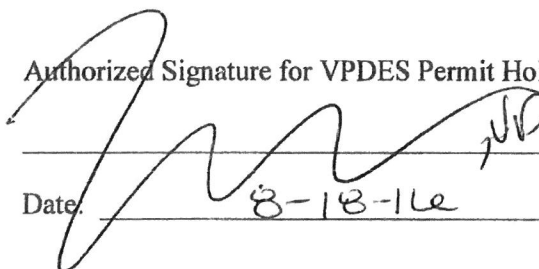
Terms: the undersigned Permit Holder hereby engages the undersigned Third Party Implementer to stand by for the duration of the current VPDES permit term (December 1, 2016 – November 30, 2021) to implement and administer all components of the attached closure plan in accordance with its requirements in the event that the State Water Control Board determines that the facility has ceased operation.

Authorized Signature for third Party Implementer:

Donald F. Hearl, Vice President

Date: Aug 17, 2016

Authorized Signature for VPDES Permit Holder:

 Todd E. Burbage, Vice President

Date: 8-18-16

Closure Plan (24 Month Contract Operation)

VPDES Permit # VA0054003

Facility Name: Sunset Bay Utilities, Inc.

Facility Contract Operator: Environmental Systems Service
218 N Main Street
Culpeper, VA 22701
(540) 825 6660

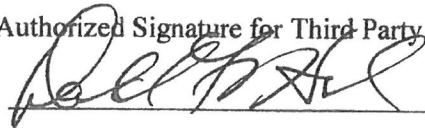
Third Party Implementer: Environmental Systems Service
218 N Main Street
Culpeper, VA 22701
(540) 825 6660

This closure plan stipulates contract operation of the facility for a period of up to 24 months after initial implementation of the closure plan, regardless of the date of the initial implementation. Contract operation shall be by the undersigned Facility Contract Operator.

The Facility Contract Operator hereby agrees to standby for the duration of the current VPDES permit term (December 1, 2016 – November 30, 2021) to perform contract operation of the privately owned sewage system located at Sunset Bay Utilities, Inc., Chincoteague, VA for a period of up to 24 months. The Facility Contract Operator hereby stipulates that assigned operators within the Contract Operator Company possess all licenses and /or qualifications necessary or required to operate the facility in question.

Upon implementation of the closure plan and at the direction of the undersigned Third Party Implementer, the Facility contract Operator shall operate the facility for up to 24 months in accordance with the terms and conditions of the applicable VPDES permit for the facility. The Facility Contract Operator shall assume, without exception, all responsibilities and liabilities associated with the facility's discharge to State waters and with applicable VPDES permit in the event the closure plan is implemented. The Facility Contract Operator stipulates that the current permit holder and the person or legal entity contracted to standby to operate the facility (i.e. Facility Contract Operator) under the closure plan are not the same person or legal entity. The Facility Contract Operator further stipulates that the following cost estimate in the amount of \$167,144.00 is sufficient to pay for comprehensive operation of the facility for up to 24 months in conjunction with all the previously discussed requirements.

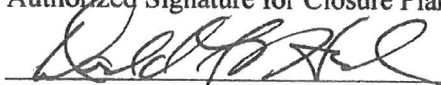
Authorized Signature for Third Party Implementer:



Donald F. Hearl, Vice President

Date: Aug 17, 2016

Authorized Signature for Closure Plan Contractor:



Donald F. Hearl, Vice President

Date: Aug 17, 2016

FACILITY DESCRIPTION

The wastewater treatment system serving Sunset Bay property located on Chincoteague Island consists of an above ground extended aeration, activated sludge treatment system. The facility, consisting of two treatment trains, has a total design capacity to treat 39,500 gallons of wastewater per day. Currently, onsite connections include sixty-five town house units, an eighty room hotel, and a restaurant connected to the treatment system. In addition to these onsite connections there are three off site connections including a restaurant, a theater, and the Town of Chincoteague public restrooms. These connections were extended at the request of the Town to accommodate failed onsite septic systems. The treatment process includes both filtration and final treatment/disinfection steps. Since the treatment facility will serve permanent homes, it cannot be taken off line or closed permanently unless an alternative source of wastewater treatment service is made available.

DESIGNATED THIRD PARTY

This closure plan hereby stipulates that Environmental Systems Service, LTD (ESS) shall act as the named third party responsible for implementation of the interim operations plan. ESS will provide interim operation and maintenance services as required within this agreement. ESS is an independent Virginia contractor and has no affiliation with or ownership of this facility.

INTERIM FACILITY OPERATION

The Permit Holder/Owner has obtained a written proposal from Environmental Systems Service, Ltd., a Virginia Corporation providing professional wastewater operations and maintenance services, agreeing to provide continuing plant operations and maintenance services for a period of two (2) years. In the event that the onsite wastewater treatment

facility is abandoned by the owner, ongoing operations and maintenance services will proceed under the terms of the contract with ESS and in accordance with this closure plan. This treatment facility serves both commercial and residential housing units. Since the facility will serve a full time residential community, the wastewater treatment system cannot be closed permanently unless central sewerage becomes available. Central sewerage is not planned for the area in which the development is located.

RECORDS AND HISTORICAL DATA

All records, laboratory bench sheets, plant logs, etc., will be secured appropriately to maintain integrity and prevent deterioration during the interim period of operation.

INTERIM O&M COST ESTIMATE

The following summary is intended to provide an accurate cost to sustain ongoing operations and maintenance of the treatment facility for a period of 24 months. An additional cost estimate is provided for closure of the facility. The security posted by the owner shall cover the cost for providing twenty-four months of operation & maintenance services or estimated closure costs, depending on which option is selected. The security will be renewed and updated to keep pace with inflation on a regular basis. The cost summary will be reviewed 60 days prior to the anniversary date of the financial assurance mechanism. It will be revised and updated as needed.

ITEM	2016-2017
STAFFING	\$35,000.00
LAB TESTING	\$5,372.00
SLUDGE DISPOSAL	\$14,500.00
ELECTRICITY	\$9,600.00
LAB SUPPLIES	\$1,500.00
MAINTENANCE	\$7,000.00
PROCESS CHEMICALS	\$9,000.00
ANNUAL VPDES PERMIT FEE	\$1,600.00
TOTAL ANNUAL COST	\$83,572.00
2 YEARS COST 2016 - 2018	\$167,144.00

CLOSURE COST ESTIMATE

As noted, the treatment facility serves a permanent residential community. There is no currently available alternative source of wastewater treatment service on the island; therefore, closure of this facility is not possible or likely. Only in the event of provision of central sewerage by the Town could the treatment system be closed and taken off line. Based on comments received relative to this subject, it is unlikely that central sewage treatment will come to Chincoteague for many years. When and if this happens, and if

the owners wish to connect to the system, the existing treatment facility could then be closed. In the very remote event that this facility would ever be closed, the following is an estimated cost for closure and abandonment of the wastewater treatment facility. Please note that funds to cover the cost for closure of the wastewater treatment system would be made available from funds allocated for the two year's operating fund because the system would be closed and not operated for the two year's period.

Demolition Cost Estimate

Pump & Haul plant wastewater contents (50,000 gallons)	\$15,000
Disconnect and remove all plant electrical and equipment	\$10,000
Demolish treatment tankage and remove from site	\$25,000
Backfill excavations and seed	\$15,000
Total cost to close and demo	\$65,000

Based on the foregoing plan for ensuring uninterrupted O&M service for the subject treatment facility, and for permanent closure should this be necessary, this plan will satisfy the regulatory requirement for posting financial assurance.



CLOSURE PLAN THIRD PARTY IMPLEMENTATION AGREEMENT

for

Sunset Bay Utilities, Inc.

located at

CHINCOTEAGUE, VIRGINIA

July 1, 2016

VPDES Permit # VA0054003

Permit Holder: Todd E. Burbage, Vice President
Sunset Bay Utilities, Inc.
9428 Stephen Decatur Highway
Berlin, MD 21811
(410) 213-1900

Third Party Implementer: Environmental Systems Service
Donald F. Hearl, Vice President
218 N. Main Street
Culpeper, VA, 22701
(540) 825-6660

Terms: the undersigned Permit Holder hereby engages the undersigned Third Party Implementer to stand by for the duration of the current VPDES permit term (December 1, 2016 – November 30, 2021) to implement and administer all components of the attached closure plan in accordance with its requirements in the event that the State Water Control Board determines that the facility has ceased operation.

Authorized Signature for third Party Implementer:

_____ Donald F. Hearl, Vice President

Date: _____

Authorized Signature for VPDES Permit Holder:

_____ Todd E. Burbage, Vice President

Date: _____

Closure Plan (24 Month Contract Operation)

VPDES Permit # VA0054003

Facility Name: Sunset Bay Utilities, Inc.

Facility Contract Operator: Environmental Systems Service
218 N Main Street
Culpeper, VA 22701
(540) 825 6660

Third Party Implementer: Environmental Systems Service
218 N Main Street
Culpeper, VA 22701
(540) 825 6660

This closure plan stipulates contract operation of the facility for a period of up to 24 months after initial implementation of the closure plan, regardless of the date of the initial implementation. Contract operation shall be by the undersigned Facility Contract Operator.

The Facility Contract Operator hereby agrees to standby for the duration of the current VPDES permit term (December 1, 2016 – November 30, 2021) to perform contract operation of the privately owned sewage system located at Sunset Bay Utilities, Inc., Chincoteague, VA for a period of up to 24 months. The Facility Contract Operator hereby stipulates that assigned operators within the Contract Operator Company possess all licenses and /or qualifications necessary or required to operate the facility in question.

Upon implementation of the closure plan and at the direction of the undersigned Third Party Implementer, the Facility contract Operator shall operate the facility for up to 24 months in accordance with the terms and conditions of the applicable VPDES permit for the facility. The Facility Contract Operator shall assume, without exception, all responsibilities and liabilities associated with the facility's discharge to State waters and with applicable VPDES permit in the event the closure plan is implemented. The Facility Contract Operator stipulates that the current permit holder and the person or legal entity contracted to standby to operate the facility (i.e. Facility Contract Operator) under the closure plan are not the same person or legal entity. The Facility Contract Operator further stipulates that the following cost estimate in the amount of **\$169, 651.15** is sufficient to pay for comprehensive operation of the facility for up to 24 months in conjunction with all the previously discussed requirements.

Authorized Signature for Third Party Implementer:

_____ Donald F. Hearl, Vice President

Date: _____

Authorized Signature for Closure Plan Contractor:

_____ Donald F. Hearl, Vice President

Date: _____

FACILITY DESCRIPTION

The wastewater treatment system serving Sunset Bay property located on Chincoteague Island consists of an above ground extended aeration, activated sludge treatment system. The facility, consisting of two treatment trains, has a total design capacity to treat 39,500 gallons of wastewater per day. The treatment process includes both filtration and final treatment/disinfection steps. Since the treatment facility will serve permanent homes, it cannot be taken off line or closed permanently unless an alternative source of wastewater treatment service is made available.

DESIGNATED THIRD PARTY

This closure plan hereby stipulates that Environmental Systems Service, LTD (ESS) shall act as the named third party responsible for implementation of the interim operations plan. ESS will provide interim operation and maintenance services as required within this agreement. ESS is an independent Virginia contractor and has no affiliation with or ownership of this facility.

INTERIM FACILITY OPERATION

The Permit Holder/Owner has obtained a written proposal from Environmental Systems Service, Ltd., a Virginia Corporation providing professional wastewater operations and maintenance services, agreeing to provide continuing plant operations and maintenance services for a period of two (2) years. In the event that the onsite wastewater treatment facility is abandoned by the owner, ongoing operations and maintenance services will proceed under the terms of the contract with ESS and in accordance with this closure plan. This treatment facility serves both commercial and residential housing units. Since the facility will serve a full time residential community, the wastewater treatment system cannot be closed permanently unless central sewerage becomes available. Central sewerage is not planned for the area in which the development is located.

RECORDS AND HISTORICAL DATA

All records, laboratory bench sheets, plant logs, etc., will be secured appropriately to maintain integrity and prevent deterioration during the interim period of operation.

INTERIM O&M COST ESTIMATE

The following summary is intended to provide an accurate cost to sustain ongoing operations and maintenance of the treatment facility for a period of 24 months. An additional cost estimate is provided for closure of the facility. The security posted by the owner shall cover the cost for providing twenty-four months of operation & maintenance services or estimated closure costs, depending on which option is selected. The security will be renewed and updated to keep pace with inflation on a regular basis. The cost summary will be reviewed 60 days prior to the anniversary date of the financial assurance mechanism. It will be revised and updated as needed.

** Including a projected 3 % inflation escalator per year and the closure cost estimate.*

ITEM	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
STAFFING	\$35,000.00	\$36,050.00	\$37,131.50	\$38,245.45	\$39,392.81
LAB TESTING	\$5,372.00	\$5,533.16	\$5,699.15	\$5,870.13	\$6,046.23
SLUDGE DISPOSAL	\$14,500.00	\$14,935.00	\$15,383.05	\$15,844.54	\$16,319.88
ELECTRICITY	\$9,600.00	\$9,888.00	\$10,184.64	\$10,490.18	\$10,804.88
LAB SUPPLIES	\$1,500.00	\$1,545.00	\$1,591.35	\$1,639.09	\$1,688.26
MAINTENANCE	\$7,000.00	\$7,210.00	\$7,426.30	\$7,649.09	\$7,878.56
PROCESS CHEMICALS	\$9,000.00	\$9,270.00	\$9,548.10	\$9,834.54	\$10,129.58
ANNUAL VPDES PERMIT FEE	\$1,600.00	\$1,648.00	\$1,697.44	\$1,748.36	\$1,800.81
TOTAL ANNUAL COST	\$83,572.00	\$86,079.16	\$88,661.53	\$91,321.38	\$94,061.02
2 YEARS COST 2016 - 2018	\$169,651.16				

CLOSURE COST ESTIMATE

As noted, the treatment facility serves a permanent residential community. There is no currently available alternative source of wastewater treatment service on the island; therefore, closure of this facility is not possible or likely. Only in the event of provision of central sewerage by the Town could the treatment system be closed and taken off line. Based on comments received relative to this subject, it is unlikely that central sewage treatment will come to Chincoteague for many years. When and if this happens, and if the owners wish to connect to the system, the existing treatment facility could then be closed. In the very remote event that this facility would ever be closed, the following is an estimated cost for closure and abandonment of the wastewater treatment facility.

Demolition Cost Estimate

Pump & Haul plant wastewater contents (50,000 gallons)	\$15,000
Disconnect and remove all plant electrical and equipment	\$10,000
Demolish treatment tankage and remove from site	\$25,000
Backfill excavations and seed	\$15,000
Total cost to close and demo	\$65,000

Based on the foregoing plan for ensuring uninterrupted O&M service for the subject treatment facility, and for permanent closure should this be necessary, this plan will satisfy the regulatory requirement for posting financial assurance.

Smithson Jr., Robert (DEQ)

From: Taylor, Suzanne (DEQ)
Sent: Tuesday, August 16, 2016 3:18 PM
To: Smithson Jr., Robert (DEQ)
Cc: Austin, Deanna (DEQ); Jones, Barbara (DEQ)
Subject: RE: Sunset Bay South - Financial Assurance Resolution Deadline Past

Hi Robert. Thanks for the note on this permit. I contacted Don Hearl today regarding the revisions to the plan and he said he has been out of the office since the beginning of the month and apologized for the delay. However he will return to work tomorrow and send us the revisions. I told him that was acceptable. Thanks again for the follow-up.

Suzanne

From: Smithson Jr., Robert (DEQ)
Sent: Tuesday, August 16, 2016 9:11 AM
To: Taylor, Suzanne (DEQ)
Cc: Austin, Deanna (DEQ); Jones, Barbara (DEQ)
Subject: Sunset Bay South - Financial Assurance Resolution Deadline Past

Suzanne,

Have you gotten everything you need from Don Hearl, ESS? The deadline you gave has past hasn't it?

Smithson Jr., Robert (DEQ)

From: Taylor, Suzanne (DEQ)
Sent: Thursday, July 14, 2016 10:59 AM
To: Don Hearl; Smithson Jr., Robert (DEQ)
Cc: Todd Burbage (tburbage@burbageproperties.com); Nichole Bradford; Beckwith, Leslie (DEQ)
Subject: RE: Sunset Bay Closure Plan

Good morning Don and Robert, the Office of Financial Responsibility and Waste Programs accepts the updated 24-month operations and maintenance cost estimate for Sunset Bay Utilities, Inc. totaling \$167,144 to meet the facility's financial capability requirements under 9 VAC 25-650 (Closure Plans & Demonstration of Financial Capability), the Regulation, for the facility's upcoming VPDES permit reissuance. An additional \$65,000 for facility demolition costs is not required for the owner's current financial capability demonstration obligation because Sunset Bay's facility serves permanent residents, and in cases where failure to operate a wastewater treatment facility serving permanent residents has been the subject of discussions with various Department staff, the actual closure of the facility has not been contemplated, but rather the discussion has been how to get the residents/local government to take over operation; support for this argument regarding a wastewater treatment facility serving permanent residences was also presented in Don's email of July 11 shown below and will be more clearly addressed by the Department in future guidance documents for this Regulation.

In order to finalize the closure plan for the Sunset Bay facility, please update the following:

- 1) Revise the cost section to reflect the closure cost estimate as follows: $2 * \$83,572 = \$167,144$ (O & M for 24 months); the five year 3% escalator table should be removed from the draft closure plan because the Regulation already requires the owner/operator to update the facility's closure cost estimate for annual inflation; see 9 VAC 25-650-80.B.
- 2) Include the physical address of the wastewater treatment facility and list the current number of hook-ups under the Facility Description section on page 3 of the Closure Plan.

Please submit the original, revised closure plan to the Department no later than August 11, 2016, and the increased financial capability mechanism totaling \$167,144 to my attention at the address below no later than October 1, 2016. Please contact me if you have any additional questions or need further assistance. Thank you.

Regards,

Suzanne D. Taylor

From: Don Hearl [mailto:DonH@ess-services.com]
Sent: Monday, July 11, 2016 12:43 PM
To: Taylor, Suzanne (DEQ); Smithson Jr., Robert (DEQ)
Cc: Todd Burbage (tburbage@burbageproperties.com); Nichole Bradford; Beckwith, Leslie (DEQ)
Subject: RE: Sunset Bay Closure Plan

Suzanne,

I understand your comments regarding the allowance of up to 24 months for tenants to be relocated from rental property, however in this case there are permanent residences privately owned by individuals living there. As I mentioned previously, it would not be possible, nor permitted under the law for the owner to close or abandon the treatment facility unless an alternative treatment system, such as would be provided by the town, was available. Otherwise, the treatment facility could never be closed.

From: Don Hearl [<mailto:DonH@ess-services.com>]
Sent: Monday, July 11, 2016 10:56 AM
To: Smithson Jr., Robert (DEQ); Taylor, Suzanne (DEQ)
Cc: Todd Burbage (tburbage@burbageproperties.com); Nichole Bradford
Subject: Sunset Bay Closure Plan

Hi Bob & Suzanne,

As you may recall I submitted the closure plan and financial assurance proposal for ongoing O&M of the Sunset Bay WWTP last week. Included in the estimate was the cost for closure, should that ever be required, but is extremely unlikely. I received a comment back from Suzanne indicating that the cost for O&M and the cost for closure should be additive. We were not to include plant closure as part of the O&M financial commitment, but as a separate cost to be added to the O&M cost.. If the cost for O&M and for closure are added, that just adds additional unnecessary expense and burden on the owner. As I mentioned last week, there is money in the O&M estimate to cover closure if that option is chosen, however, both options will not be selected. Either the plant will be operated for two years or it will be closed within the two year period, using funds that would be allocated for O&M. It may be that I need to discuss with Suzanne directly, but in any case, I do not want this delay to result in the issuance of a warning letter. As soon as the closure plan is approved the owner will put the financial instrument in place.

Thanks for your help with this,

Don

Donald F. Hearl, Vice President
Environmental Systems Service, Ltd.
218 North Main St.
P.O. Box 520
Culpeper, VA 22701
Phone: 540 825 6660
Fax: 540 825 4961
E-mail: donh@ess-services.com

Smithson Jr., Robert (DEQ)

From: Smithson Jr., Robert (DEQ)
Sent: Thursday, April 21, 2016 10:36 AM
To: 'Valeria Compton'
Cc: 'Don Hearl'; Austin, Deanna (DEQ); Taylor, Suzanne (DEQ)
Subject: FW: VA0054003 Sunset Bay South VPDES Renewal - Application Incomplete
Attachments: ClosurePlan_ContractOperation_JQB_12.23.2015_.docx;
 ClosurePlanThirdPartyImplementationAgreement_JQB_12.18.2015_.docx;
 ClosurePlan_PhysicalClosure_JQB_12.23.2015_JQB_.docx; ClosurePlanMemo_JQB_01.29.2016_.docx

Here are templates/guidance/explanations provided by our Office of Financial Responsibility to assist you as you venture into this phase of the application. Suzanne Taylor of that same office will be your contact if you have questions.

From: Bennett, Josiah (DEQ)
Sent: Thursday, April 21, 2016 10:28 AM
To: Smithson Jr., Robert (DEQ)
Cc: Austin, Deanna (DEQ); Taylor, Suzanne (DEQ); Beckwith, Leslie (DEQ)
Subject: RE: VA0054003 Sunset Bay South VPDES Renewal - Application Incomplete

Here are the closure plan templates we've developed, along with a memo explaining the rationale for requiring 24 months of contract operation in general. Suzanne is the primary on this one, so I'll let her take it from here. She may already be working directly with the permit holder and/or the consultant.

Thanks,
 Josiah

Josiah Bennett
Virginia Department of Environmental Quality
Office of Financial Responsibility & Waste Programs
Post Office Box 1105
Richmond, VA 23218
(804) 698-4205 (p)
(800) 592-5482 (toll-free)
(804) 698-4234 (fax)

Visit DEQ's petroleum program on the web at
<http://www.deq.virginia.gov/Programs/LandProtectionRevitalization/FinancialAssurance.aspx>

From: Smithson Jr., Robert (DEQ)
Sent: Thursday, April 21, 2016 10:17 AM
To: Bennett, Josiah (DEQ)
Cc: Austin, Deanna (DEQ)
Subject: FW: VA0054003 Sunset Bay South VPDES Renewal - Application Incomplete

In an effort to involve your office up front on this, is there any guidance/checklist you wish to provide to ESS in their preparation of this requirement.

From: Valeria Compton [<mailto:ValeriaC@ess-services.com>]
Sent: Thursday, April 21, 2016 10:09 AM
To: Smithson Jr., Robert (DEQ)
Subject: RE: VA0054003 Sunset Bay South VPDES Renewal - Application Incomplete

Thank you.....I will get the closure plan and the financial assurance package to you as soon as possible.

ATTACHMENT 7

SPECIAL CONDITIONS RATIONALE

**VPDES PERMIT PROGRAM
LIST OF SPECIAL CONDITIONS RATIONALE**

Attachment 7

B. Additional Total Residual Chlorine (TRC) Limitations and Monitoring Requirements

Rationale: Required by Water Quality Standards, 9VAC 25-260-170, Fecal coliform bacteria; other waters. Also, 40 CFR 122.41(e) requires the permittee, at all times, to properly operate and maintain all facilities and systems of treatment in order to comply with the permit. This ensures proper operation of chlorination equipment to maintain adequate disinfection.

C. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

C.1.a. Sludge Reopener

Rationale: Required by the VPDES Permit Regulation, 9 VAC 25-31-220 C., and 40 CFR 122.44 (c)(4), which note that all permits for domestic sewage treatment plants (including sludge-only facilities) include any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the Clean Water Act.

C.1.b. Financial Assurance Reopener

Rationale: The State Water Control Law, Section 62.1-44.18:3, and the Closure Plans and Demonstration of Financial Capability Regulation, 9 VAC 25-650-10 et. seq., require owners of privately-owned sewerage systems which discharge more than 1000 gallons per day and less than 40,000 gallons per day to file with the Board an abatement/closure plan to be implemented in the event the facility ceases operations. The plan is required to include a demonstration of financial capability for its implementation.

C.2. Licensed Operator Requirement

Rationale: The Permit Regulation, 9 VAC 25-31-200 D and Code of Virginia 54.1-2300 et. seq., Rules and Regulations for Waterworks and Wastewater Works Operators (18 VAC 160-20-10 et seq.) requires licensure of operators.

C.3. Reliability Class

Rationale: Required by Sewage Collection and Treatment Regulations, 12 VAC 5-581-20 and 120 for all municipal facilities.

C.4. Financial Assurance and Disclosure to Purchasers

Rationale: Required by Code of Virginia § 62.1-44.18:3 and the Board's Financial Assurance Regulation, 9 VAC 25-650-10 et seq.

C.5. CTC, CTO and O & M Manual Requirements

Rationale: Required by the State Water Control Law, Section 62.1-44.19; the Sewage Collection and Treatment Regulations (12 VAC 5-581 et seq); Section 401 of the Clean Water Act; 40 CFR 122.41(e); and the VPDES Permit Regulation (9 VAC-25-31-190E).

VPDES PERMIT PROGRAM
LIST OF SPECIAL CONDITIONS RATIONALE
Attachment 7 continued

C.6. 95% Design Capacity Notification

Rationale: Required by the VPDES Permit Regulation, 9 VAC 25-31-200 B.2. for all POTW and PVOTW permits. Best professional judgement is used to apply this condition to other (private) municipal treatment facilities.

C.7. Quantification Levels Under Part I.A.

Rationale: States are authorized to establish monitoring methods and procedures to compile and analyze data on water quality, as per 40 CFR part 130, Water Quality Planning and Management, subpart 130.4.

C.8. Compliance Reporting Under Part I.A.

Rationale: Defines reporting requirements for toxic parameters with quantification levels and other limited parameters to ensure consistent, accurate reporting on submitted reports.

C.9. Sludge Management Plan

Rationale: The VPDES Permit Regulation, 9 VAC 25-31-420, and 40 CFR 503.1 specify the purpose and applicability for sludge management plans. The VPDES Permit Regulation, 9 VAC 25-31-100 J.4., also sets forth certain detailed information which must be included in a sludge management plan. The VPDES sewage sludge permit application form and its attachments constitute the sludge management plan and will be considered for approval with the VPDES permit. In addition, the Biosolids Use Regulation, 12 VAC 5-585-330 and 340, specifies the general purpose and control requirements for an O&M manual in order to facilitate proper O&M of the facilities to meet the requirements of the regulation.

ATTACHMENT 8

RECEIVING WATERS INFO./
TIER DETERMINATION/303 (d) LISTING

Planning Permit Review

50

Date: 7/7/2016

To: Kristie Britt, TRO

Permit Writer: R.E. Smithson

Facility: Sunset Bay South WWTP

Permit Number: VA0054003

Issuance, Reissuance or Modification (if Modification describe): reissuance

Permit Expiration Date: 11/5/2016

Waterbody ID (ex: VAT-G15E): VAT-DO1E

Topo Name: Chincoteague West 141B

Facility Address:

3855 S. Main St., Chincoteague, VA 23336

Receiving Stream: Attached are topographic maps showing facility property boundaries and outfall(s) locations for those included in this request.

Stream Name: Chincoteague Channel	
Stream Data Requested? no	
Outfall #: 001	Lat Lon: 37.55.57.1; -75.22.56.1
Outfall #:	Lat Lon:
Outfall #:	Lat Lon:
Stream Name (2):	
Stream Data Requested?	
Outfall #:	Lat Lon:
Outfall #:	Lat Lon:
Outfall #:	Lat Lon:

If greater than 2 receiving streams or 3 outfalls per stream please provide a separate table with outfall listings and Latitude Longitude description.

Planning Review:

303 (d): Indicate Outfalls which discharge directly to an impaired (Category 5) stream segment and parameters impaired	
The facility does not discharge to an impaired 303d listed stream.	
Chincoteague Channel, VAT- D01E_CHI01A06, is supporting aquatic life use, wildlife and recreation use.	
Tier Determination	
Tier	Tier 2 water since water quality at station 7-CHI003.57 is better than water quality standards. Attachment 1.
Tier	
Management Plan	
Is the facility Referenced in a Management Plan?	No
Are limits contained in a Management Plan?	No

Review will be completed in 30 days of receipt of request.

Additional Comments:

KNB 7/26/2016

Date: 7/7/2016**To:** Kristie Britt, TRO**Permit Writer:** R. E. Smithson**Facility:** Sunset Bay South WWTP**Permit Number:** VA0054003**Issuance, Reissuance or Modification (if Modification describe) :** Reissuance**Permit Expiration Date:** 11/5/2016**Waterbody ID (ex: VAT-G15E):** VAT-DO1E**Topo Name:** Chincoteague West 141B**Facility Address:**

3855 S. Main St., Chincoteague, VA 23336

Receiving Stream: Attached are topographic maps showing facility property boundaries and outfall(s) locations for those included in this request.

Stream Name: Chincoteague Channel	
Outfall #: 001	Lat Lon: 37 55 57.1; -75.22.56.1
Outfall #:	Lat Lon:
Outfall #:	Lat Lon:
Stream Name (2):	
Outfall #:	Lat Lon:
Outfall #:	Lat Lon:
Outfall #:	Lat Lon:

If greater than 2 receiving streams or 3 outfalls per stream please provide a separate table with outfall listings and Latitude Longitude description.

Is there a design flow change? If yes give the change. no**TMDL Review:**

Is a TMDL IN PROGRESS for the receiving stream? No	
Has a TMDL been APPROVED that includes the receiving stream?	
No	
If yes, Include TMDL Name, Pollutant(s) and date of approval:	
NA	
Is the facility assigned a WLA from the TMDL?	No
If Yes, what is the WLA? Only use EOS Loads for Chesapeake Bay TMDL WLAs	
NA	

Review will be completed in 30 days of receipt of request.**Additional Comments:**

Maryland Coastal Bay TMDL for Nitrogen and Phosphorus EPA approved August 7, 2014. Loadings of Nitrogen and Phosphorus are applicable in the Maryland coastal bays systems. This is not a joint TMDL and therefore no restrictions are placed on the VA Chincoteague Bay portions. Reference Chincoteague Bay Coordination Email from May 18, 2011 as referenced in 2011 Plan Review. KNB 7/26/2016

ATTACHMENT 9

TABLE III (a) AND TABLE III (b) -
CHANGE SHEETS

TABLE III(a)

VPDES PERMIT PROGRAM
Permit Processing Change Sheet

1. Effluent Limits and Monitoring Schedule: (List any changes FROM PREVIOUS PERMIT and give a brief rationale for the changes).

OUTFALL NUMBER	PARAMETER CHANGED	MONITORING LIMITS CHANGED FROM / TO	EFFLUENT LIMITS CHANGED FROM / TO	RATIONALE	DATE & INITIAL
001	Enterococci	n/a to 1/Week grab	n/a to 35 N/CML mo. avg.	Per VPDES manual; BPJ	RES 08/04/16

OTHER CHANGES:	RATIONALE:	DATE & INITIAL
Addition of TRC/Enterococci/Fecal Coliform Limitations and Monitoring Requirements	Per VPDES Manual	RES 08/04/16
Update O & M Manual special condition wording	Per VPDES manual	RES 08/04/16

TABLE III(b)

VPDES PERMIT PROGRAM
Permit Processing Change Sheet

1. Effluent Limits and Monitoring Schedule: (List any changes MADE DURING PERMIT PROCESS and give a brief rationale for the changes).

Not Applicable

OUTFALL NUMBER	PARAMETER CHANGED	MONITORING LIMITS CHANGED FROM / TO	EFFLUENT LIMITS CHANGED FROM / TO	RATIONALE	DATE & INITIAL

OTHER CHANGES FROM:	CHANGED TO:	DATE & INITIAL

55

ATTACHMENT 10

CHRONOLOGY SHEET

56

VPDES PERMIT PROGRAM

CHRONOLOGY OF EVENTS

APPLICATION RECEIVED	APPLICATION RETURNED	ADDITIONAL INFO REQUESTED	APPLICATION/ADD INFO DUE BACK IN RO	APPLICATION/ADD. INFO RECEIVED
04/19/16	04/21/16	04/21/16		07/11/16, 08/24/16
APPLICATION TO VDH: 04/21/16 VDH COMMENTS RECEIVED: 05/02/16				
DSS COMMENTS RECEIVED: 04/29/16 VMRC COMMENTS RECEIVED: 04/22/16				
APPLICATION ADMIN. COMPLETE: 08/24/16 APPLICATION TECH. COMPLETE: 08/24/16				
DATE FORWARDED TO ADMIN:				

Date DESCRIPTIVE STATEMENT [CHRONOLOGY OF EVENTS] (Meetings, telephone calls, letters, memos, hearings, etc. affecting permit from application to issuance)

04/19/16	Initial application received
04/20/16	Application reviewed for completeness
04/21/16	Additional information/financial assurance documents required
04/21/16	Application forwarded to VDH, VMRC and DSS for comment
05/02/16	VDH comments received; 04/29/16 DSS comments received
07/07/16	Info requested from planning (plus TMDL review)
07/14/16	Final comments from Office of Financial Assurance e-mailed to consultant for further revisions
07/21/16	DCR T&E comments received
07/26/16	Planning comments received
08/04/16	Draft permit, FS completed
08/24/16	Revised financial assurance documents & closure plan received
08/25/16	Application complete letter sent to permittee
09/06/16	Draft permit, FS finalized and sent to TA for review

ATTACHMENT 11

CORRESPONDENCE

Smithson Jr., Robert (DEQ)

From: LEGALS, SBY <SBYLEGALS@gannett.com>
Sent: Monday, September 19, 2016 10:46 AM
To: Jenson, Catherine (DEQ); LEGALS, SBY
Cc: Smithson Jr., Robert (DEQ); todd@burbageprp.com
Subject: RE: Public Notice for VA0054003 - Sunset Bay South Wastewater Treatment Plant to be published
Attachments: 1592503 Permit VA0054003 Sunset Bay South Wastewater Treatment Plant.pdf

Attached please find proof and pricing, for review and approval.
The ad(s) will run as requested, unless otherwise notified.
I'll send the verification sheet to your attention when the run is complete.

Thank you.
Have a pleasant day.
Best-
Laura

From: Jenson, Catherine (DEQ) [mailto:Catherine.Jenson@deq.virginia.gov]
Sent: Monday, September 19, 2016 9:19 AM
To: LEGALS, SBY <SBYLEGALS@gannett.com>
Cc: Smithson Jr., Robert (DEQ) <Robert.SmithsonJr@deq.virginia.gov>; todd@burbageprp.com
Subject: Public Notice for VA0054003 - Sunset Bay South Wastewater Treatment Plant to be published

Please publish the attached public notice in the earliest edition of your paper once a week for two consecutive weeks, exactly seven days apart- Starting on September 21, 2016. Proceed with the publishing as follows:

1. Publish it in the legal section in the smallest print possible.
2. Please bill this ad to the Agent's address on the BILLING AUTHORIZATION form submitted with this e-mail
3. PLEASE NOTE ON THE BILLING DOCUMENT THEY HAVE AUTHORIZED YOU TO SEND THE AFFIDAVIT TO THIS OFFICE certifying that the public notice has been published as requested as soon possible after the last publication date to the attention of **Cathy Jenson**.

Please provide me with a proof upon processing.

Thanks.

Cathy Jenson

Administrative Support Technician - Water Permits



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

Molly Joseph Ward
Secretary of Natural Resources

5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

David K. Paylor
Director

Maria R. Nold
Regional Director

September 19, 2016

Eastern Shore News
P. O. Box 249
Onley, VA 23418

RE: VPDES Permit No. VA0054003, Permit Re-issuance
Sunset Bay South Wastewater Treatment Plant, Chincoteague, VA. 23336

Dear Sirs:

Please publish the attached public notice in the September 21, 2016 edition of your paper once a week for two consecutive weeks, exactly seven days apart. Proceed with the publishing as follows:

1. Publish it in the legal section in the smallest print possible, and add the first public notice issue date to the public notice.
2. Please bill this ad to the Agent's address listed in the Billing Document attached to the e-mail.
3. Please note, the billing document authorizes you to send the affidavit certifying that the public notice has been published to this office. If you have any questions, please contact me at (757) 518-2106 or Robert.SmithsonJr@deq.virginia.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Smithson, Jr.", written over a horizontal line.

Robert E. Smithson, Jr.
Environmental Specialist Senior II

cc: DEQ – ECM File VA0054003
Sunset Bay South Wastewater Treatment Plant, Chincoteague, VA. 23336

PUBLIC NOTICE VERIFICATION SHEET

TO: EASTERN SHORE NEWS, ACCOUNTING DEPARTMENT
RE: PUBLIC NOTICE – PERMIT NO. VA0054003, Permit Re-issuance
Sunset Bay South Wastewater Treatment Plant, Chincoteague, VA. 23336

ATTACH PRINTED COPY OF NOTICE
ON THE REVERSE SIDE OF
THIS DOCUMENT

I hereby certify that the notice attached in the space above appeared in the Eastern Shore News, once weekly for two consecutive weeks, exactly seven days apart, on these dated:

_____, 2016

_____, 2016

(Signature)

(Title)

(Date)

RETURN THIS DOCUMENT TO: DEQ – TIDEWAER REGIONAL OFFICE
ATTN: CATHYJENSON
5636 SOUTHERN BOULEVARD
VIRGINIA BEACH, VA 23462

ECM VA0054003, Permit Re-issuance

**AUTHORIZATION TO BILL APPLICANT FOR
A PUBLIC NOTICE
FOR
SUNSET BAY SOUTH WWTP
CHINCOTEAGUE, VA
RE: PERMIT NO. VA0054003**

I hereby authorize the Department of Environmental Quality to have the cost of publishing a public notice billed to the Agent/Department shown below. The public notice will be published once a week for two consecutive weeks in the:
EASTERN SHORE NEWS

Agent/Department to be billed: Mr. Todd E. Burbage
Vice President
Sunset Bay Utilities, Inc.

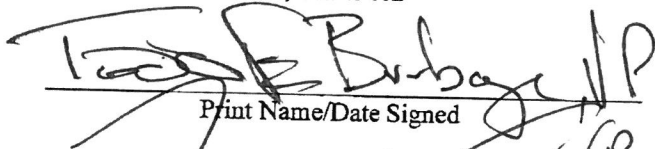
Applicant's Address: 9428 Stephen Decatur Highway
Berlin, Maryland 21811

Agent's Telephone No: 410-213-1900

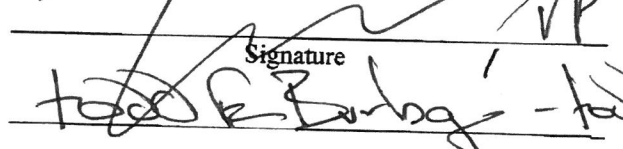
I AM ALSO AUTHORIZING THE EASTERN SHORE NEWS TO SEND THE AFFIDAVIT TO:

**DEQ TIDEWATER REGIONAL OFFICE
WATER PERMITS
ATTN: CATHERINE JENSON
5636 SOUTHERN BOULEVARD
VIRGINIA BEACH, VA 23462**

Authorizing Agent/Date Signed:


Print Name/Date Signed

Authorizing Agent's
Signature


Signature

Authorizing Agent's E-Mail Address:

RETURN COMPLETED FORM TO:

DEQ - Tidewater Regional Office
Attn: Robert Smithson-Water Permits
5636 Southern Boulevard
Virginia Beach, VA 23462

Cc: (DEQ FILE ECM)

PUBLIC NOTICE OF AN ENVIRONMENTAL PERMIT

PURPOSE OF NOTICE: To seek public comment on a draft permit from the Department of Environmental Quality that will allow the release of treated domestic wastewater from a regulated municipal activity into a water body in Chincoteague, Virginia.

PUBLIC COMMENT PERIOD: **September 21, 2016 – October 21, 2016**

PERMIT NAME: Virginia Pollutant Discharge Elimination System Permit – wastewater issued by the DEQ, under the authority of the State Water Control Board.

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Sunset Bay Utilities, LLC, 9428 Stephen Decatur Highway, Berlin, MD 21811; Permit No. VA0054003

FACILITY NAME AND LOCATION: Sunset Bay South Wastewater Treatment Plant, 3855 South Main St., Chincoteague, Va. 23336

PROJECT DESCRIPTION: Sunset Bay Utilities, LLC has applied to the Department of Environmental Quality (DEQ) for the reissuance of a permit for treated domestic waste water, discharges from their municipal wastewater treatment plant that serves the Sunset Bay South residential community. The discharge has a current design flow of 0.0395 million gallons per day (MGD). The permit will allow the applicant to continue to release the treated, disinfected municipal wastewater to the Chincoteague Channel in Chincoteague, Accomack Co. to the Chesapeake Bay, Atlantic and Small Coastal watershed. A watershed is the land area drained by a river and its incoming streams. The permit will limit the following pollutants to amounts that protect water quality: pH, carbonaceous biochemical oxygen demand, total suspended solids, total Kjeldahl nitrogen, dissolved oxygen, fecal coliform, enterococci and total residual chlorine; Generated sludge will be pumped and hauled by a septage hauler to Pocomoke City, MD.

HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments and requests for public hearing hand-delivery, by e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The reason why a public hearing is requested. 2) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requestor, including how and to what extent such interest would be directly and adversely affected by the permit. 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. A public hearing may be held, including another comment period, if public response is significant, based on individual requests for a public hearing, and there are substantial, disputed issues relevant to the permit.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION:

Robert Smithson at DEQ Tidewater Regional Office, 5636 Southern Blvd, Virginia Beach, Virginia 23462

Phone: (757) 518-2106 E-mail: robert.smithsonjr@deq.virginia.gov Fax: (757) 518-2009

The public may review the draft permit and application at the DEQ office named above by appointment or may request copies of the documents from the contact person listed above.

September 19, 2016
DEQ/Public Notice

PUBLIC NOTICE: ISSUE DATE: September 19, 2016

**DEPARTMENT OF ENVIRONMENTAL QUALITY-WATER
DIVISION, P. O. Box 1105, Richmond, Virginia 23218
Telephone: (804) 698-4000**

**PROPOSAL(S) TO ISSUE/REISSUE/AMEND/TERMINATE ONE
OR MORE OF THE FOLLOWING: VA POLLUTANT DISCHARGE
ELIMINATION SYSTEM (VPDES), VA PRETREATMENT
PROGRAM in a VPDES PERMIT; VA POLLUTION ABATEMENT
(VPA) OR VA WATER PROTECTION PERMIT(S) PURSUANT TO
U. S. PUBLIC LAW 92-500 AS AMENDED AND SECTION 62.1-44.2
ET SEQ OF THE CODE OF VIRGINIA AS AMENDED.**

The municipal, industrial or private facility owners on the attached list have applied for issuance, reissuance or amendment of a permit to either discharge treated wastes into the waters of the Commonwealth of Virginia (VPDES); approve or modify a pretreatment program or parts thereof for facilities that discharge to a POTW that is covered by a VPDES permit; handle waste and wastewater in a manner that does not involve discharging to a sewage treatment works or to state waters (VPA); or withdraw surface water, impound non-agricultural waters or impact surface waters such as by land clearing, dredging, filling, excavating, draining, or ditching in open water, streams, and wetlands (VWP). On the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Quality (DEQ) proposes to issue/reissue/amend/terminate the permit(s) subject to certain limitations and special conditions. These proposed determinations are tentative.

Public Notices for Virginia Water Protection (VWP) Permits can be found in full at the following web site:
<http://www.deq.virginia.gov/Programs/Water/WetlandsStreams/PublicNotices.aspx>

**PROCEDURES FOR FORMULATION OF FINAL
DETERMINATIONS**

Persons may comment in writing to the DEQ on the proposed permit within 30 days from the date of newspaper public notice. Comments shall include

address and phone number of the writer, and shall contain a complete, concise statement of the factual basis for the comments. Only those comments received within this period will be considered by the DEQ. The DEQ may, upon request or upon its own motion, decide to hold a public hearing if it determines that public response is significant. As of September 1, 1985, the mailing notice will be *informational only* and is considered to be confirmation of newspaper notices and not the official notice for comments.

All pertinent information is on file and may be inspected and arrangements made for copying at the Regional Office having jurisdiction as indicated in the first column of the attached list:

Southwest Regional Office, 355-A Deadmore Street, Abingdon, Virginia 24210, (276) 676-4800.

Blue Ridge Regional Office–Roanoke (WCRO), 3019 Peters Creek Road, Roanoke, Virginia 24019, (540) 562-6700.

Valley Regional Office, 4411 Early Road, P. O. Box 3000, Harrisonburg, Virginia 22801, (540) 574-7800.

Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia 22193, (703) 583-3800.

Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 23060, (804) 527-5020.

Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 23462, (757) 518-2000.

Blue Ridge Regional Office–Lynchburg (SCRO), 7705 Timberlake Road, Lynchburg, Virginia 24502, (434) 582-5120

Following the newspaper notice comment period, the DEQ will make its determination regarding name, the proposed permit. These determinations will then become effective unless the DEQ grants a public hearing. Due notice of any public hearing will be given.

September 19, 2016
DEQ/Public Notice

Valley Regional Office, 4411 Early Road, P. O. Box 3000, Harrisonburg, Virginia 22801

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Shenandoah County, Virginia. Applicant: Town of Edinburg; P.O. Box 85, Edinburg, VA 22824. Facility: Edinburg STP; 114 North Whissen Street, Edinburg. Permit No. VA0020508. DEQ Contact: Dawn Jeffries, Email: dawn.jeffries@deq.virginia.gov Phone: 540-574-7898, Fax: 540-574-7878.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater/storm water into a water body in Rockingham County, Virginia. Applicant: VPGC, LLC, PO Box 228, Hinton, Virginia 22831. Facility: VPGC, LLC, 6349 Rawley Pike, Hinton, Virginia 22831. Permit No. VA0002313. DEQ Contact: Bev Carver, Email: Beverley.carver@deq.virginia.gov Phone: 540-574-7805, Fax: 540-574-7878.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Rockingham County, Virginia. Applicant: Endless Caverns, LLC, 1800 Endless Caverns Road, New Market, VA 22844. Facility: Endless Caverns STP; 1800 Endless Caverns Road, New Market. Permit No. VA0071846. DEQ Contact: Keith Showman, Email: keith.showman@deq.virginia.gov, Phone: 540-574-7836, Fax: 540-574-7878.

Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia 22193

The purpose of this notice is to seek public comment on a draft permit that will allow additional impacts associated with the project known as “Potomac Shores (aka Harbor Station)” in Prince William County, Virginia. Applicant: Harbor Station Communities, LLC, a Delaware limited liability company; 17300 River Ridge Boulevard, Suite 301, Woodbridge, Virginia 22191, VWPP No. 04-0271. DEQ Contact: Allison King, Phone: 703-583-3909, Email: Allison.king@deq.virginia.gov and Fax: 703-583-3821.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Loudoun County, Virginia. Applicant: Loudoun County Sanitation Authority dba Loudoun Water, P. O. Box 4000, Ashburn, Virginia 20146, Permit No. VA0062189. Facility: St Louis WWTP, 22151 Newlin Mill Road, Middleburg, Virginia 20117. DEQ Contact: Alison Thompson, Phone: 703-583-3834, Email: Alison.thompson@deq.virginia.gov.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Orange County, Virginia. Applicant: Garrett Street, LLC, 79 Garrett Street, Warrenton, Virginia 20186, Permit No. VA0080781. Facility: Eheart Subdivision STP, Route 670 and Route 613, Barboursville, Virginia 22923. DEQ Contact: Alison Thompson, Phone: 703-583-3834, Email: Alison.thompson@deq.virginia.gov.

Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 23060

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Lancaster County, Virginia. Applicant: Town of Kilmarnock, P. O. Box 1357, Kilmarnock, Virginia 22482. Permit No. VA0020788. DEQ Contact: Laura Galli, Phone: 804-527-5095, Email: laura.galli@deq.virginia.gov and Fax: 804-527-5106.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of stormwater into a water body in Amelia County, Virginia. Applicant: Amelia Lumber Company, Inc., 16951 Leidig Street, Amelia, Virginia 23002. Permit No. VA0091979. DEQ Contact: Laura Galli, Phone: 804-527-5095, Email: laura.galli@deq.virginia.gov and Fax: 804-527-5106.

September 19, 2016
DEQ/Public Notice

Blue Ridge Regional Office–Roanoke (WCRO), 3019 Peters Creek Road, Roanoke, Virginia 24019

The purpose of this notice is to seek public comment on a modified program proposal submitted to the Department of Environmental Quality to control industrial wastewater before it enters the sanitary sewer system in the Town of Christiansburg, Virginia Applicant: Town of Christiansburg, 100 East Main Street, Christiansburg, Virginia 24073, Permit No. VA0061751. DEQ Contact: Lynn V. Wise, Phone: 540-562-6787, Email: lynn.wise@deq.virginia.gov and Fax: 540-562-6725.

Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 23462

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated domestic wastewater from a regulated municipal activity into a water body in Chincoteague, Virginia. Applicant: Sunset Bay Utilities, LLC, 9428 Stephen Decatur Highway, Berlin, MD 21811, Permit No. VA0054003. Facility: Sunset Bay South Wastewater Treatment Plant, 3855 South Main Street, Chincoteague, Virginia 23336. DEQ Contact: Robert Smithson, Phone: 757-518-2106, Email: Robert.smithsonjr@deq.virginia.gov and Fax: 757-518-2009.

****The public may review any draft permit and applications at the DEQ offices named above by appointment.***



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

September 19, 2016

Executive Director
Northampton-Accomack Planning District
23372 Front Street
Accomac, VA 23301

RE: VPDES Permit No. VA0054003, Permit Re-issuance
Sunset Bay South Wastewater Treatment Plant, Chincoteague, VA. 23336

Dear Sir/Madam:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a 30-day public comment period for this proposal. If you wish to comment on this proposed action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2106 or Robert.SmithsonJr@deq.virginia.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Smithson, Jr.", written over a horizontal line.

Robert E. Smithson, Jr.
Environmental Specialist Senior II

Enclosure: Public Notice
cc: DEQ – ECM FILE VA0054003



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

Molly Joseph Ward
Secretary of Natural Resources

5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

David K. Paylor
Director

Maria R. Nold
Regional Director

September 19, 2016

Town Manager
Town of Chincoteague
6140 Community Dr
Chincoteague, VA 23336

RE: VPDES Permit No. VA0054003, Permit Re-issuance
Sunset Bay South Wastewater Treatment Plant, Chincoteague, VA. 23336

Dear Sir/Madam:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a 30-day public comment period for this proposal. If you wish to comment on this proposed action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2106 or Robert.SmithsonJr@deq.virginia.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Smithson, Jr.", written over a horizontal line.

Robert E. Smithson, Jr.
Environmental Specialist Senior II

Enclosure: Public Notice
cc: DEQ – ECM FILE VA0054003



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

September 19, 2016

County Administrator
Accomack County
23296 Courthouse Ave. Suite 203
PO Box 388
Accomac, Virginia 23301

RE: VPDES Permit No. VA0054003, Permit Re-issuance
Sunset Bay South Wastewater Treatment Plant, Chincoteague, VA. 23336

Dear Sir/Madam:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a 30-day public comment period for this proposal. If you wish to comment on this proposed action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2106 or Robert.SmithsonJr@deq.virginia.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Smithson, Jr.", written over a horizontal line.

Robert E. Smithson, Jr.
Environmental Specialist Senior II

Enclosure: Public Notice
cc: DEQ – ECM FILE VA0054003



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

September 19, 2016

Mayor
Town of Chincoteague
6150 Community Drive
Chincoteague, VA 23336

RE: VPDES Permit No. VA0054003, Permit Re-issuance
Sunset Bay South Wastewater Treatment Plant, Chincoteague, VA. 23336

Dear Mayor:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a 30-day public comment period for this proposal. If you wish to comment on this proposed action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2106 or Robert.SmithsonJr@deq.virginia.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Smithson, Jr.", written over a circular stamp.

Robert E. Smithson, Jr.
Environmental Specialist Senior II

Enclosure: Public Notice
cc: DEQ – ECM FILE VA0054003



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

Molly Joseph Ward
Secretary of Natural Resources

5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

David K. Paylor
Director

Maria R. Nold
Regional Director

September 19, 2016

Mr. Robert A. Crum, Jr.
Executive Director, Headquarters Office
Hampton Roads Planning District Commission
The Regional Building
723 Woodlake Drive
Chesapeake, VA 23220

RE: VPDES Permit No. VA0054003, Permit Re-issuance
Sunset Bay South Wastewater Treatment Plant, Chincoteague, VA. 23336

Dear Mr. Crum:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a 30-day public comment period for this proposal. If you wish to comment on this proposed action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2106 or Robert.SmithsonJr@deq.virginia.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Smithson, Jr.", written over a horizontal line.

Robert E. Smithson, Jr.
Environmental Specialist Senior II

Enclosure: Public Notice
cc: DEQ – ECM FILE VA0054003

Smithson Jr., Robert (DEQ)

From: Don Hearl <DonH@ess-services.com>
Sent: Wednesday, September 14, 2016 10:57 AM
To: Smithson Jr., Robert (DEQ)
Cc: Valeria Compton; Todd Burbage
Subject: RE: Sunset Bay South: VA0054003 Draft 2016 Permit for Review.pdf

Hi Bob,

I have reviewed the draft permit and have no problem with the changes. Todd has authorized me to advise you that he is ok with going to public notice. Please let me know if you need anything else.

Don

Donald F. Hearl, Vice President
Environmental Systems Service, Ltd.
218 North Main St.
P.O. Box 520
Culpeper, VA 22701
Phone: 540 825 6660
Fax: 540 825 4961
E-mail: donh@ess-services.com

-----Original Message-----

From: Smithson Jr., Robert (DEQ) [<mailto:Robert.SmithsonJr@deq.virginia.gov>]
Sent: Monday, September 12, 2016 2:59 PM
To: Don Hearl
Cc: Valeria Compton; Todd Burbage
Subject: RE: Sunset Bay South: VA0054003 Draft 2016 Permit for Review.pdf

Please find included at this FTP site a copy of the draft permit going out to Todd in tomorrow's mail (along with the fact sheet). I'm sure Todd will want ESS to review, so I thought I'd make it available right away. Other than language updating, the only change is the addition of enterococci monitoring and limit, now standard for chlorine disinfection (per the VPDES manual). I will be looking for a thumbs up in the next week or 2 to go forward to public notice. Thanks guys

<http://deq.virginia.gov/filesare/wps/permit/tro/VDH,%20DSS,%20VMRC%20For%20Review/VA0054003%20Sunset%20Bay%20South%20Renewal%202016/>



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY TIDEWATER REGIONAL OFFICE

Molly Joseph Ward
Secretary of Natural Resources

5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

David K. Paylor
Director
Maria R. Nold
Regional Director

September 15, 2016

Mr. Todd E. Burbage, V.P.
Sunset Bay Utilities, Inc.
9428 Stephen Decatur Highway
Berlin, Maryland 21811

RE: Reissuance of VPDES Permit No. VA0054003
Sunset Bay South WWTP, Chincoteague, VA
Draft Permit, Fact Sheet and Public Notice

Dear Mr. Burbage:

The State Water Control Board is considering reissuing the referenced permit. **Please review the enclosed draft permit package with fact sheet and public notice carefully.**

Certain public notice procedures must be complied with before the actual permit can be approved. They are as follows:

1. The attached public notice must be published once a week for two consecutive weeks in a newspaper of general local circulation. We have your signed Public Notice Billing Information Form, which will allow the newspaper to bill you for the public notice. In order for you to continue to discharge under state and federal laws, a new permit must be issued by the expiration date of the current permit. The term of the current permit cannot be extended beyond its expiration date if the owner is the cause of the delay in permit reissuance.

2. A minimum of 30 days will be allowed for public response following the date of the first public notice. If no public response is received, or the public response can be satisfactorily answered, then the permit will be processed. However, if there is significant public response, then we may hold a public hearing. You will be advised if this occurs.

If you have any questions or comments on the draft permit or public notice requirements, please contact me at (757) 518-2106. Within the next 2 weeks or sooner, contact me or have your consultant let us know that you wish to proceed to public notice.

Sincerely,

Robert E. Smithson, Jr.
Environmental Specialist Senior

Encl: Draft Permit and Fact Sheet
Public Notice

cc: DEQ-TRO ECM File

PUBLIC NOTICE OF AN ENVIRONMENTAL PERMIT

PURPOSE OF NOTICE: To seek public comment on a draft permit from the Department of Environmental Quality that will allow the release of treated domestic wastewater from a regulated municipal activity into a water body in Chincoteague, Virginia.

PUBLIC COMMENT PERIOD: 30 days from the first date of this public notice (date to be inserted by the newspaper)

PERMIT NAME: Virginia Pollutant Discharge Elimination System Permit – wastewater issued by the DEQ, under the authority of the State Water Control Board.

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Sunset Bay Utilities, LLC, 9428 Stephen Decatur Highway, Berlin, MD 21811; Permit No. VA0054003

FACILITY NAME AND LOCATION: Sunset Bay South Wastewater Treatment Plant, 3855 South Main St., Chincoteague, Va. 23336

PROJECT DESCRIPTION: Sunset Bay Utilities, LLC has applied to the Department of Environmental Quality (DEQ) for the reissuance of a permit for treated domestic waste water, discharges from their municipal wastewater treatment plant that serves the Sunset Bay South residential community. The discharge has a current design flow of 0.0395 million gallons per day (MGD). The permit will allow the applicant to continue to release the treated, disinfected municipal wastewater to the Chincoteague Channel in Chincoteague, Accomack Co. to the Chesapeake Bay, Atlantic and Small Coastal watershed. A watershed is the land area drained by a river and its incoming streams. The permit will limit the following pollutants to amounts that protect water quality: pH, carbonaceous biochemical oxygen demand, total suspended solids, total Kjeldahl nitrogen, dissolved oxygen, fecal coliform, enterococci and total residual chlorine; Generated sludge will be pumped and hauled by a septage hauler to Pocomoke City, MD.

HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments and requests for public hearing hand-delivery, by e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The reason why a public hearing is requested. 2) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requestor, including how and to what extent such interest would be directly and adversely affected by the permit. 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. A public hearing may be held, including another comment period, if public response is significant, based on individual requests for a public hearing, and there are substantial, disputed issues relevant to the permit.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION:

Robert Smithson at DEQ Tidewater Regional Office, 5636 Southern Blvd, Virginia Beach, Virginia 23462

Phone: (757) 518-2106 E-mail: robert.smithsonjr@deq.virginia.gov Fax: (757) 518-2009

The public may review the draft permit and application at the DEQ office named above by appointment or may request copies of the documents from the contact person listed above.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director
Maria R. Nold
Regional Director

August 25, 2016

Mr. Todd Burbage, Vice-President
Sunset Bay Utilities, Inc.
9428 Stephen Decatur Highway
Berlin, MD 21811

RE: VPDES Permit Reissuance VA0054003
Sunset Bay Utilities South Wastewater Treatment Plant
Chincoteague, VA

Dear Mr. Burbage:

Your revised application received August 24, 2016 containing the Facility's updated Closure/Financial Assurance Plan has been reviewed and it appears to be complete. Other reviews of the application will be required by state agencies to ensure that public health and the environment will be protected.

The next steps involve assembling the information necessary to develop the permit limitations and then drafting the permit. Once the draft permit is prepared and the appropriate reviews are performed, I will transmit the draft permit and supporting documentation to you for review.

Thank you for your cooperation and that of your consultant in submitting the completed application. If you have any questions about our procedures or the status of your draft permit, please feel free to call me at (757) 518-2106.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Smithson, Jr.", written over a horizontal line.

Robert E. Smithson, Jr.
Environmental Specialist Senior II

cc: DEQ ECM File
Mr. Don Hearl, ESS (Consultant)

61
Smithson Jr., Robert (DEQ)

From: nhreview (DCR)
Sent: Thursday, July 21, 2016 11:08 AM
To: Smithson Jr., Robert (DEQ)
Cc: dgif-ESS Projects (DGIF); 'troy_andersen@fws.gov'
Subject: VA 0054003, Sunset Bay South Wastewater Treatment Plant
Attachments: 71648, DEQ VA0054003, Sunset Bay South Wastewater Treatment Plant.docx

Mr. Smithson,

Please find attached the DCR-DNH comments for the above referenced project. The comments are in word format and can be printed for your records. Also species rank information is available at <http://www.dcr.virginia.gov/natural-heritage/help> for your reference.

Please send a confirmation e-mail upon receipt of our comments. Let us know if you have any questions.

Thank you for your request.



Alli Baird, LA, ASLA
Locality Liaison
VADCR - Division of Natural Heritage
600 East Main Street, 24th Floor
Richmond, VA 23219
804-692-0984
alice.baird@dcr.virginia.gov

MEMORANDUM

DATE: July 20, 2016
TO: Robert Smithson, DEQ-TRO
FROM: Alli Baird, DCR-DNH
SUBJECT: VA0054003, Sunset Bay South Wastewater Treatment Plant
Due July 22, 2016

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

Biotics documents the presence of natural heritage resources within two miles of the project area. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please re-submit project information and map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

The Virginia Department of Game and Inland Fisheries (VDGIF) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Ernie Aschenbach at 804-367-2733 or Ernie.Aschenbach@dgif.virginia.gov. This project is located within 2 miles of documented occurrences of a state listed animal and a state and federally animal. Therefore, DCR recommends coordination with USFWS and VDGIF, Virginia's regulatory authority for the management and protection of these species to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570).

Thank you for the opportunity to comment on this project.

Cc: Amy Ewing, VDGIF
Troy Andersen, USFWS

Smithson Jr., Robert (DEQ)

From: vanhde@naturereserve.org
Sent: Wednesday, June 22, 2016 3:01 PM
To: Smithson Jr., Robert (DEQ)
Subject: VA0054003: Sunset Bay South Wastewater Treatment Plant has completed initial review

Dear Robert Smithson,

An initial review of your project, entitled 'VA0054003: Sunset Bay South Wastewater Treatment Plant', has been completed. The resulting report can be found [here](#). To view the project page, shapefile and any attachments, click [here](#). If natural heritage resources are documented or predicted within the search radius, DCR will provide additional comments via email within thirty calendar days or within 5 business days if priority service was selected. If no natural heritage resources are documented or predicted within the search radius, no further coordination is needed with this office. The report can be saved and/or printed for your files.

Thank you for submitting this project for review.

DCR-VA Natural Heritage Program



Department of Conservation & Recreation

CONSERVING VIRGINIA'S NATURAL & RECREATIONAL RESOURCES

Web Project ID: WEB0000005378

Client Project Number:

PROJECT INFORMATION

TITLE: VA0054003: Sunset Bay South Wastewater Treatment Plant

DESCRIPTION: The facility is listed on the DCR list of projects for review for FY16

EXISTING SITE CONDITIONS: N/A

QUADRANGLES: Chincoteague West

COUNTIES: Accomack

Latitude/Longitude (DMS): 37°56'1.8116"N / 75°22'48.8874"W

Acreage: 3 acres

Comments: Your map system does not allow for multiple shapes to designate specific outfalls. The reissuance application is attached with maps. Because your site only allows for 2MB, a link to the external FTP site is attached where the application can be found. Please copy the entire link into your browser. <http://deq.virginia.gov/files/share/wps/permit/tro/VDH,%20DSS,%20VMRC%20For%20Review/VA0054003%20Sunset%20Bay%20South%20Renewal%202016/>

REQUESTOR INFORMATION

Priority: N

Tier Level: Tier II

Tax ID:

Contact Name: Robert Smithson

Company Name: DEQ-Tidewater Regional Office

Address: 5636 Southern Blvd.

City: Va. Beach

State: VA

Zip: 23462

64

Phone: 757-518-2106

Fax: 757-518-2009

Email: robert.smithsonjr@deq.virginia.gov



Conservation Site	Site Type	Brank	Acreage	Listed Species Presence
ASSATEAGUE ISLAND	Conservation Site	B1	20275	FL
WIRE NARROWS MARSH	Conservation Site	B5	1505	NL
	GLNHR	NA	0	NL
	GLNHR	NA	0	FL
	GLNHR	NA	0	SL
	GLNHR	NA	0	NL
	GLNHR	NA	0	NL
	GLNHR	NA	0	SL

Natural Heritage Screening Features within Search Radius

Site Name	Group Name	Common Name	Scientific Name	GRANK	SRANK	Fed Status	State Status	EO Rank	Last Obs Date	Precision
WIRE NARROWS MARSH	Animal Assemblage	Natural Heritage Resource	Bird Nesting Colony	G5	SNR			D	2002-08-20	S
ASSATEAGUE ISLAND	Vascular Plant	Umbrella Flatsedge	Cyperus diandrus	G5	S1			CD	1998-09	S
WILDCAT MARSH, ASSATEAGUE ISLAND	Vascular Plant	Oval-flowered panic grass	Dichanthelium ovale var. ovale	G5T5	S1?			A	1998-09	S
WIRE NARROWS MARSH	Vertebrate Animal	Snowy Egret	Egretta thula	G5	S2B,S3N			E	2002-07-17	
WIRE NARROWS MARSH	Vertebrate Animal	Tricolored Heron	Egretta tricolor	G5	S2B,S3N			E	2002-08-31	
	Vertebrate Animal	Peregrine Falcon	Falco peregrinus	G4	S1B,S2N		LT	X	1998	M
	Vertebrate Animal	Gull-billed Tern	Gelochelidon nilotica	G5	S2B		LT	H?	1987-07-07	S
WIRE NARROWS MARSH	Vertebrate Animal	Black-necked Stilt	Himantopus mexicanus	G5	S1B			E	2001-08-	
WIRE NARROWS MARSH	Vertebrate Animal	Caspian Tern	Hydroprogne caspia	G5	S1B,S2N			D	1991-	S
ASSATEAGUE ISLAND	Natural Community	Maritime Loblolly Pine Forest	Pinus taeda - (Quercus falcata, Prunus serotina) / Morella cerifera / Vitis rotundifolia Forest	G2	S2			AB	1996-10-3	S
ASSATEAGUE ISLAND	Natural Community	Maritime Loblolly Pine Forest	Pinus taeda - (Quercus falcata, Prunus serotina) /	G2	S2			B	1996-10-03	

16

Site Name	Group Name	Common Name	Scientific Name	GRANK	SRANK	Fed Status	State Status	EO Rank	Last Obs Date	Precision
			Morella cerifera / Vitis rotundifolia Forest							
WIRE NARROWS MARSH	Vertebrate Animal	Black Skimmer	Rynchops niger	G5	S2B,S1 N			BC	2002-08-20	S
ASSATEAGUE ISLAND	Vertebrate Animal	Delmarva Fox Squirrel	Sciurus niger cinereus	G5T3	S1	LE	LE	B	1994-02-10	M
Natural Heritage Resources within Search Radius										

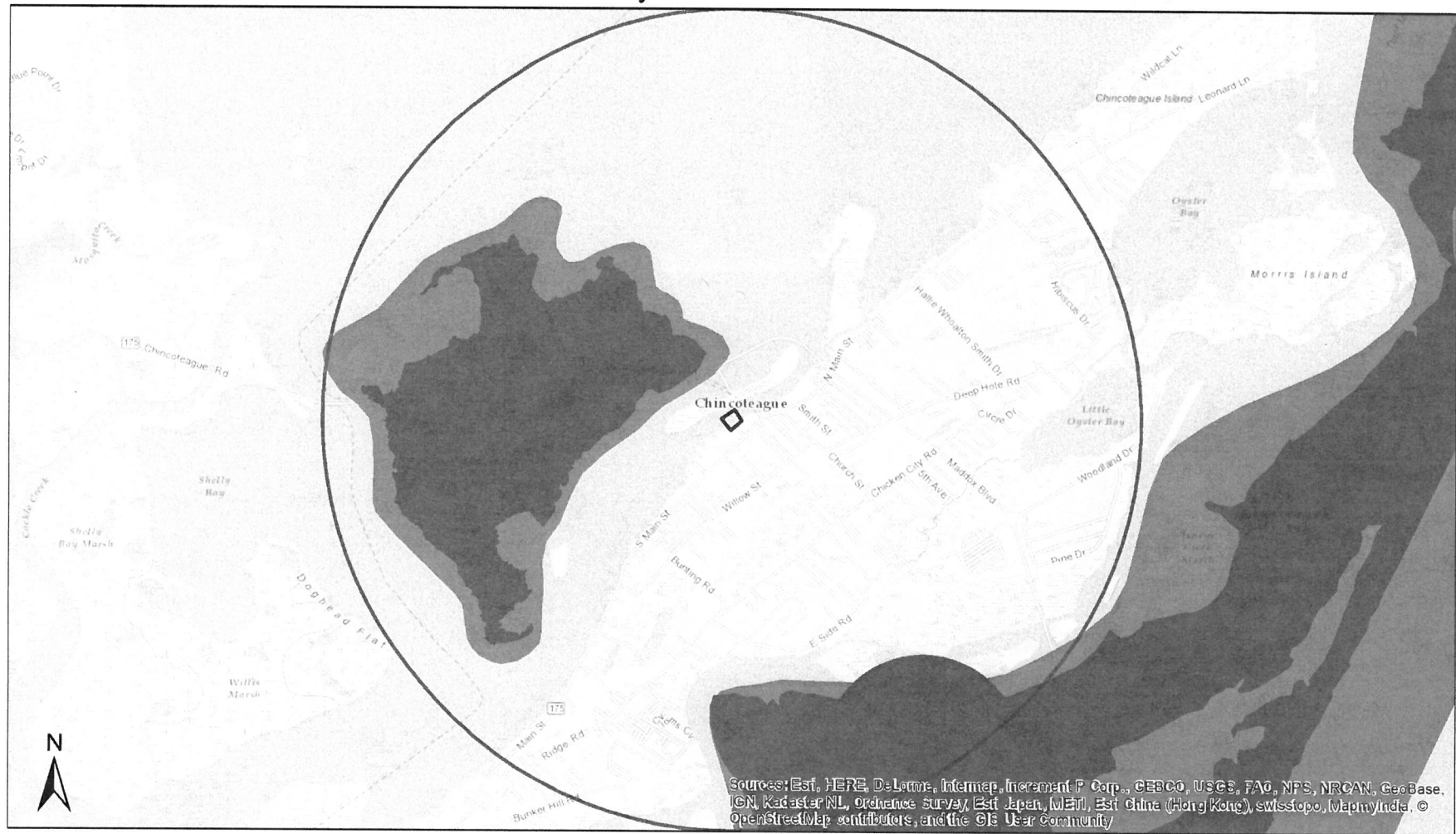
Intersecting Predictive Models

Seabeach Amaranth

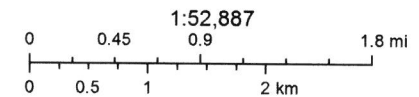
Predictive Model Results

57

VA0054003: Sunset Bay South Wastewater Treatment Plant



- Project Area
- Buffered
- NH Screening Features
- Conservation Site
- GLNHR
- SCU



Quads: Chincoteague West
Counties: Accomack

Company: DEQ-Tidewater Regional Office
Lat/Long: 375601 / -752248



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

The project mapped as part of this report has been searched against the Department of Conservation and Recreation's Biotics Data System for occurrences of natural heritage resources from the area indicated for this project. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in Biotics files, NATURAL HERITAGE RESOURCES HAVE BEEN DOCUMENTED within two miles of the indicated project boundaries and/or POTENTIAL HABITAT FOR NATURAL HERITAGE RESOURCES intersect the project area.

You have submitted this project to DCR for a more detailed review for potential impacts to natural heritage resources. DCR will review the submitted project to identify the specific natural heritage resources in the vicinity of the proposed project. Using the expertise of our biologists, DCR will evaluate whether your specific project is likely to impact these resources, and if so how. DCR's response will indicate whether any negative impacts are likely and, if so, make recommendations to avoid, minimize and/or mitigate these impacts. If the potential negative impacts are to species that are state- or federally-listed as threatened or endangered, DCR will also recommend coordination with the appropriate regulatory agencies: the Virginia Department of Game and Inland Fisheries for state-listed animals, the Virginia Department of Agriculture and Consumer Services for state-listed plants and insects, and the United States Fish and Wildlife Service for federally listed plants and animals. If your project is expected to have positive impacts we will report those to you with recommendations for enhancing these benefits.

There will be a charge for this service for "for profit companies": \$60, plus an additional charge of \$35 for 1-5 occurrences and \$60 for 6 or more occurrences.

Please allow up to 30 days for a response, unless you requested a priority response (in 5 business days) at an additional surcharge of \$500. An invoice will be provided with your response.

We will review the project based on the information you included in the Project Info submittal form, which is included in this report. Also any additional information including photographs, survey documents, etc. attached during the project submittal process and/or sent via email referencing the project title (from the first page of this report).

Thank you for submitting your project for review to the Virginia Natural Heritage Program through the NH Data Explorer. Should you have any questions or concerns about DCR, the Data Explorer, or this report, please contact the Natural Heritage Project Review Unit at 804-371-2708.

69



COMMONWEALTH of VIRGINIA

Marissa J. Levine, MD, MPH, FAAFP
State Health Commissioner

John J. Aulbach II, PE
Director, Office of Drinking Water

DEPARTMENT OF HEALTH
OFFICE OF DRINKING WATER
Southeast Virginia Field Office

830 Southampton Avenue
Suite 2058
Norfolk, VA 23510
Phone (757) 683-2000
Fax (757) 683-2007

DATE: APR 27 2016

FROM: *DBH* Daniel B. Horne, PE
Engineering Field Director

TO: Mr. Robert E. Smithson, Jr., Environmental Specialist Senior
DEQ – Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach, Virginia 23462

CITY/COUNTY: Accomack

APPLICANT: Sunset Bay South

PERMIT TYPE: VPDES

APPLICATION TYPE: Re-Issuance (Existing)

PROJECT: Sunset Bay South

SUBJECT: Review response for DEQ's permit application #VA 0054003

Our office has reviewed the application for the discharge of domestic wastewater.

No public raw water intakes in Virginia were found downstream or upstream from the discharge point.

DWT/DBH/kcb

pc: VDH, ODW – Central Office
VDH, Accomack County Health Department
Mr. Todd Burbage, Sunset Bay South
Mr. Donald Hearl, Environmental Systems Service, Ltd.

R:\DIST21\Accomack\DEQ Permits\2106\Sunset Bay-VPDES2016.docx





COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487
Fax: 804-864-7481

MEMORANDUM

DATE: 4/29/2016

TO: Robert E. Smithson, Jr.
Department of Environmental Quality

FROM: B. Keith Skiles, MPH, Director
Division of Shellfish Sanitation

SUBJECT: Sunset Bay South

City / County: Accomack

Waterbody: Chincoteague Channel

Type: ☒ VPDES ☐ VMRC ☐ VPA ☐ VWP ☐ JPA ☐ Other:

Application / Permit Number: VA0054003

- ☐ The project will not affect shellfish growing waters.
- ☐ The project is located in or adjacent to approved shellfish growing waters, however, the activity as described will not require a change in classification.
- ☒ The project is located in or adjacent to condemned shellfish growing waters and the activity, as described, will not cause an increase in the size or type of the existing closure.
- ☐ The project will affect condemned shellfish waters and will not cause an increase in the size of the total condemnation. However, a prohibited area (an area from which shellfish relay to approved waters for self-purification is not allowed) will be required within a portion of the currently condemned area. See comments.
- ☐ A buffer zone (including a prohibited area) has been previously established in the vicinity of this discharge, however, the closure will have to be revised. Map attached.
- ☐ This project will affect approved shellfish waters. If this discharge is approved, a buffer zone (including a prohibited area) will be established in the vicinity of the discharge. Map attached.
- ☐ Other.

ADDITIONAL
COMMENTS:

Area #: 101
eta

12

Smithson Jr., Robert (DEQ)

From: Badger, Hank (MRC)
Sent: Friday, April 22, 2016 9:44 AM
To: Smithson Jr., Robert (DEQ); Horne, Daniel (VDH); Howell, Beth (MRC); Stagg, Ben (MRC); Skiles, Keith (VDH); Aschenbach, Eric (VDH); Wesson, Jim (MRC)
Cc: Thomas, Stephen (DEQ); Todd Burbage
Subject: RE: Permit Application for Review- Permit #VA0054003 Sunset Bay South Reissuance, Chincoteague

Renewal of an existing outfall (Permit #VA0054003 Sunset Bay South Reissuance, Chincoteague).

VMRC has no comment unless Virginia Department of Health Division of Shellfish Sanitation indicates the shellfish growing areas will have to be condemned or reclassified as a result of the discharge.

Hank Badger, VMRC Habitat Engineer

(757)414-0710

From: Smithson Jr., Robert (DEQ)
Sent: Thursday, April 21, 2016 1:24 PM
To: Horne, Daniel (VDH); Howell, Beth (MRC); Stagg, Ben (MRC); Skiles, Keith (VDH); Aschenbach, Eric (VDH); Badger, Hank (MRC)
Cc: Thomas, Stephen (DEQ); Todd Burbage
Subject: RE: Permit Application for Review- Permit #VA0054003 Sunset Bay South Reissuance, Chincoteague

Below is the FTP site link to access the application for the above referenced permit. You will find each of your letters in the fileshare file. If you have any questions, please let me know.

<http://deq.virginia.gov/files/wps/permit/tro/VDH,%20DSS,%20VMRC%20For%20Review/VA0054003%20Sunset%20Bay%20South%20Renewal%202016/>

Smithson Jr., Robert (DEQ)

From: Smithson Jr., Robert (DEQ)
Sent: Thursday, April 21, 2016 1:24 PM
To: Horne, Daniel (VDH); Howell, Beth (MRC); Stagg, Ben (MRC); Skiles, Keith (VDH); Aschenbach, Eric (VDH); Badger, Hank (MRC)
Cc: Thomas, Stephen (DEQ); 'Todd Burbage'
Subject: RE: Permit Application for Review- Permit #VA0054003 Sunset Bay South Reissuance, Chincoteague

Below is the FTP site link to access the application for the above referenced permit. You will find each of your letters in the fileshare file. If you have any questions, please let me know.

<http://deq.virginia.gov/fileshare/wps/permit/tro/VDH,%20DSS,%20VMRC%20For%20Review/VA0054003%20Sunset%20Bay%20South%20Renewal%202016/>

Have a great day.....Val

74

From: Smithson Jr., Robert (DEQ) [<mailto:Robert.SmithsonJr@deq.virginia.gov>]
Sent: Thursday, April 21, 2016 10:07 AM
To: Valeria Compton
Cc: Don Hearl; Austin, Deanna (DEQ); Todd Burbage; Beckwith, Leslie (DEQ)
Subject: VA0054003 Sunset Bay South VPDES Renewal - Application Incomplete

Good job Valeria on the referenced application. Everything submitted is excellent & comprehensive. One issue: the application for a hotel/condo <40,000 gpd cannot be deemed complete without an approvable closure plan & updated financial assurance package. One has been submitted for the facility in the past so you may want to start with that and add needed enhancements.

Let me know if you have questions.

75
Smithson Jr., Robert (DEQ)

From: Bennett, Josiah (DEQ)
Sent: Thursday, April 21, 2016 10:28 AM
To: Smithson Jr., Robert (DEQ)
Cc: Austin, Deanna (DEQ); Taylor, Suzanne (DEQ); Beckwith, Leslie (DEQ)
Subject: RE: VA0054003 Sunset Bay South VPDES Renewal - Application Incomplete
Attachments: ClosurePlan_ContractOperation_JQB_12.23.2015_.docx;
ClosurePlanThirdPartyImplementationAgreement_JQB_12.18.2015_.docx;
ClosurePlan_PhysicalClosure_JQB_12.23.2015_JQB_.docx; ClosurePlanMemo_JQB_01.29.2016_.docx

Here are the closure plan templates we've developed, along with a memo explaining the rationale for requiring 24 months of contract operation in general. Suzanne is the primary on this one, so I'll let her take it from here. She may already be working directly with the permit holder and/or the consultant.

Thanks,
Josiah

*Josiah Bennett
Virginia Department of Environmental Quality
Office of Financial Responsibility & Waste Programs
Post Office Box 1105
Richmond, VA 23218
(804) 698-4205 (p)
(800) 592-5482 (toll-free)
(804) 698-4234 (fax)*

Visit DEQ's petroleum program on the web at
<http://www.deq.virginia.gov/Programs/LandProtectionRevitalization/FinancialAssurance.aspx>

From: Smithson Jr., Robert (DEQ)
Sent: Thursday, April 21, 2016 10:17 AM
To: Bennett, Josiah (DEQ)
Cc: Austin, Deanna (DEQ)
Subject: FW: VA0054003 Sunset Bay South VPDES Renewal - Application Incomplete

In an effort to involve your office up front on this, is there any guidance/checklist you wish to provide to ESS in their preparation of this requirement.

From: Valeria Compton [<mailto:ValeriaC@ess-services.com>]
Sent: Thursday, April 21, 2016 10:09 AM
To: Smithson Jr., Robert (DEQ)
Subject: RE: VA0054003 Sunset Bay South VPDES Renewal - Application Incomplete

Thank you.....I will get the closure plan and the financial assurance package to you as soon as possible.

Have a great day.....Val

From: Smithson Jr., Robert (DEQ) [<mailto:Robert.SmithsonJr@deq.virginia.gov>]
Sent: Thursday, April 21, 2016 10:07 AM
To: Valeria Compton
Cc: Don Hearl; Austin, Deanna (DEQ); Todd Burbage; Beckwith, Leslie (DEQ)
Subject: VA0054003 Sunset Bay South VPDES Renewal - Application Incomplete

Good job Valeria on the referenced application. Everything submitted is excellent & comprehensive. One issue: the application for a hotel/condo <40,000 gpd cannot be deemed complete without an approvable closure plan & updated financial assurance package. One has been submitted for the facility in the past so you may want to start with that and add needed enhancements.

Let me know if you have questions.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

March 1, 2016

Mr. Todd E. Burbage
Vice President
Sunset Bay Utilities, Inc.
9428 Stephen Decatur Highway
Berlin, Maryland 21811

RE: Requirements Pertaining to Reissuance of VPDES Permit Number VA0054003
Sunset Bay Utilities, Inc. Wastewater Treatment Plant Facility

Dear Mr. Burbage:

In consideration of the upcoming expiration on November 5, 2016, of VPDES Permit Number VA0054003 for the Sunset Bay Utilities, Inc. Wastewater Treatment Plant Facility, the Virginia Department of Environmental Quality's Office of Financial Responsibility and Waste Programs (OFRWP) is extending this reminder that pursuant to 9 VAC 25-650-60-B of the Closure Plans & Demonstration of Financial Capability Regulation (the Regulation), the Sunset Bay Utilities, Inc. Wastewater Treatment Plant Facility must resubmit its facility closure plan concurrently with its application for a reissued VPDES permit.

Currently, the closure plan for the wastewater treatment plant in Chincoteague, Virginia, consists of a provision for two years of contract operation before the facility is closed. If the Sunset Bay Utilities, Inc. Wastewater Treatment Plant Facility intends to use the same closure plan alternative for the upcoming permit term, please utilize the enclosed templates for the agreements that constitute the closure plan requirements outlined in the Regulation. These templates have been developed for the purpose of streamlining, clarifying, and standardizing the process of constructing a closure plan. Also, once you have made arrangements to execute the agreements in question, please submit preliminary drafts of these agreements to my attention for review and comment by August 1, 2016.

Please acknowledge receipt of this letter by contacting me no later than **April 1, 2016**, either by telephone at (804) 698-4146 (toll free (800) 592-5482 ext. 4146) or by e-mail at suzanne.taylor@deq.virginia.gov. Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne D. Taylor".

Suzanne D. Taylor
Office of Financial Responsibility & Waste Programs

Enclosures

cc: Robert Smithson, DEQ/TRO, via electronic mail



78

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

November 4, 2015

Mr. Todd E. Burbage
Vice President
Sunset Bay Utilities, Inc.
9428 Stephen Decatur Highway
Berlin, Maryland 21811

Re: Application for Re-issuance of VPDES Permit No. VA0054003
Sunset Bay South WWTP, Chincoteague, VA Accomack Co.

Dear Mr. Burbage:

This letter is to remind you that the referenced VPDES permit will expire on November 5, 2016 .

If you wish to continue discharging, you must reapply for the permit. The State Water Control Board's VPDES Permit Regulation requires that we receive a complete application at least 180 days before the existing permit expires. The deadline for submitting the application is **May 9, 2016**. Early submissions are welcome and will better enable us to complete processing before permit expiration. You are required to submit the following forms: **Form 2A, the Permit Application Addendum, the Sewage Sludge Application, the VPDES Permit Annual Maintenance Fee Form, and the VPDES Public Notice Billing Authorization Information Form (enclosed).** Forms 2A and the Sludge Application are under the heading "Application Forms and Information". The permit application addendum and VPDES Permit Annual Maintenance fee form are further down under the heading "miscellaneous forms/information". Please fill out all of these and submit them along with the enclosed public notice authorization form. These forms can be found at

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx>
[http://www.deq.virginia.gov/export/sites/default/vpdes/documents/VPDES Permits Application Addendum.doc](http://www.deq.virginia.gov/export/sites/default/vpdes/documents/VPDES_Permits_Application_Addendum.doc)
[http://www.deq.virginia.gov/export/sites/default/vpdes/documents/Permits Billing Information Form.doc](http://www.deq.virginia.gov/export/sites/default/vpdes/documents/Permits_Billing_Information_Form.doc)

If you have difficulty locating/downloading any forms, please contact me. If you would like to request a waiver from any of the sampling or testing requirements in the application forms, you must submit your application and a thorough justification for the request at least 240 days prior to the existing permit's expiration date. These waiver requests must be approved by DEQ and the U.S. EPA at least 180 days before the existing permit expires. DEQ will review your waiver request and, if it is justified, forward it to EPA. Failure to submit the waiver request by the 240 day deadline may result in the waiver being denied.

Upon completing the applications and other forms, return the original and two copies to the Tidewater Regional Office at the above address. If you have the technology available however, we would prefer that the original signature application and a disk/CD or an e-mail with the application attached be submitted. This would eliminate the requirement of submitting two copies.

There is no application fee for a regularly scheduled reissuance of an individual permit; that fee has been replaced by an annual permit maintenance fee which is to be paid by October 1 of each year. No permit will be reissued unless all maintenance fee payments are up to date.

DEQ has launched an e-DMR program that allows you to submit the effluent data electronically. There are many benefits to both DEQ and the permittee when e-DMR is utilized for submissions.

79

Application for Re-issuance of VPDES Permit No. VA0054003
Sunset Bay South WWTP, Chincoteague, VA
Page 2


- 1) Fewer revisions for data since the e-DMR program automatically flags omissions before the data is submitted;
- 2) Cost savings on postage, copying, and paper;
- 3) No concerns about using the most current DMR – e-DMR refreshes the required parameters automatically when changes are needed;
- 4) Submittals can be made on a timelier basis; and
- 5) Electronic signatures from multiple people are allowed and e-DMR can be accessed from multiple computer locations.

We ask that you apply for e-DMR participation now so that we will be able to complete the application process when your permit is effective. The following website provides details:

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/ElectronicDMRsubmissions.aspx>

Please call me at (757) 518-2106 if you have any questions. **Also please update any information in the attached authorization form if not current.**

Sincerely,



Robert E. Smithson, Jr.
Environmental Specialist Senior

Encl: Public Notice Authorization to Bill Form

CC: Don Hearl, ESS via e-mail

80

**AUTHORIZATION TO BILL APPLICANT FOR
A PUBLIC NOTICE
FOR
SUNSET BAY SOUTH WWTP
CHINCOTEAGUE, VA
RE: PERMIT NO. VA0054003**

I hereby authorize the Department of Environmental Quality to have the cost of publishing a public notice billed to the Agent/Department shown below. The public notice will be published once a week for two consecutive weeks in the:
EASTERN SHORE NEWS

Agent/Department to be billed: Mr. Todd E. Burbage
Vice President
Sunset Bay Utilities, Inc.

Applicant's Address: 9428 Stephen Decatur Highway
Berlin, Maryland 21811

Agent's Telephone No: 410-213-1900

I AM ALSO AUTHORIZING THE EASTERN SHORE NEWS TO SEND THE AFFIDAVIT TO:

**DEQ TIDEWATER REGIONAL OFFICE
WATER PERMITS
ATTN: CATHERINE JENSON
5636 SOUTHERN BOULEVARD
VIRGINIA BEACH, VA 23462**

Authorizing Agent/Date Signed: _____
Print Name/Date Signed

Authorizing Agent's Signature _____
Signature

Authorizing Agent's E-Mail Address: _____

RETURN COMPLETED FORM TO: DEQ – Tidewater Regional Office
Attn: Robert Smithson-Water Permits
5636 Southern Boulevard
Virginia Beach, VA 23462

Cc: (DEQ FILE ECM)